

# Non-market Economies in the Global Trading System

The Special Case of China

James J. Nedumpara · Weihuan Zhou  
Editors

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 Springer

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# Foreword

When China acceded to the World Trade Organization (WTO) in 2001, it agreed to a series of unprecedented commitments. At the time, some Chinese criticized their trade negotiators for having capitulated to the demands of Western powers, in agreeing to a series of onerous obligations that were not sought of other developing countries. With hindsight, however, China's WTO accession consolidated and propelled a series of much-needed economic reforms that have accelerated the country's re-emergence as a global trading power.

One of the onerous obligations was that of Section 15 of China's Protocol of Accession. Out of fear that Chinese exporters, aided directly or indirectly by the state in a non-transparent system, might overwhelm domestic entities, the Western powers demanded that their governments, when investigating an allegation of unfair trade through dumping, could treat China as a non-market economy for fifteen years, unless the Chinese exporters being investigated could demonstrate otherwise. China reluctantly agreed, but not before a series of changes were made to the original proposal.

This concession helped secure political support for China's accession among China's trading partners. It allowed trade negotiators a means by which to assure their domestic constituencies that if the negative consequences of China's re-entry into the global trading system were too dramatic due to unfair Chinese trading practices, their governments could easily roll back the trade preferences granted to Chinese exporters. Indeed, on numerous occasions in ensuing fifteen years, governments did so, largely through the use of anti-dumping duties against a wide range of Chinese products.

Few, however, could have envisioned that a provision designed to assuage fears of China's re-entry into the global trading system would instead bring the WTO to the brink of crisis less than two decades later. China is now the world's largest trading nation and is expected to become the world's largest economy. While the Chinese are rightly proud of their enormous achievements in lowering poverty and improving living standards, workers in advanced economies complain that some of their jobs were lost because of the negative impact of the "China shock." What rights China's trading partners continue to retain beyond December 2016 when

seeking to raise tariffs against Chinese products in light of unfair trade practices is a high-stakes matter.

As of this writing, two cases are now pending before the WTO's Dispute Settlement Body concerning China's continued treatment as a non-market economy in anti-dumping cases, with the possibility of more to come. Lingering distrust over whether the Appellate Body will properly adjudicate this question, in light of past rulings against U.S. trade remedy practices, have contributed to a stalemate over new Appellate Body appointments. Beyond this issue, broad frustration over Chinese trade practices have led the United States to initiate a series of tariffs against Chinese products, leading to a series of unprecedented tit-for-tat actions. All of this has put great strain on the WTO system.

It is against this backdrop that Professors James Nedumpara and Weihuan Zhou have assembled an impressive collection of authors to address the legal issues concerning Section 15 of China's Protocol of Accession and the Second *Ad Note* to GATT Article VI. The volume draws from eminent academics and practitioners who do not share necessarily a common view on the interpretation of these open issues. What the editors and contributors offer in the volume is a picture of the complexity of the legal debate. While we often speak of trade as a "win-win" phenomenon whereby both sides gain, in this instance, we face a "win-lose" dynamic. These differences cannot be easily reconciled. Someone's interpretation will be judged correct, and another's will be deemed wrong. Therefore, some are bound to win, while others are bound to lose. The economic and political consequences of who falls on which side of this balance are high.

Much of the attention to date has focused on the practices of China's two most important export markets, the European Union and the United States. Professors Nedumpara and Zhou have rightly highlighted that the implications extend far beyond that of these three important trading powers. Two of the chapters in the volume focus on how two fellow G20 developing countries, India and Mexico, have treated China and other non-market economies in their anti-dumping proceedings. Another highlights how Australia's anti-dumping practices may offer a preview of what is to come in other jurisdictions.

As I told the *Economist* magazine in December 2016 at the time of fifteenth anniversary of China's WTO accession, the WTO cases on China's market economy status represent but the opening salvo in what will be a multi-stage trade confrontation between China and its trading partners in the coming years. As several contributors point out, anti-dumping practices have, and will continue, to evolve in light of the legal debate. Most likely, given the unique nature of China's economic structure, even if China is increasingly recognized as a market economy on the whole by some of its trading partners, the question over whether a particular market situation prevails in a given industry will take on growing importance. Consequently, jurisprudence arising out of existing cases not involving Chinese products will nevertheless exert an important influence on Chinese exports in the coming years.

What the contributors in this volume memorialize are the views of an important set of actors, beyond the official statements of trade diplomats, on China's market economy status as the global trade crisis began to unfold in 2017-18. In the years to come, we will witness whether, and how, the WTO might survive the current crisis. Whatever the outcome, the global trading system is unlikely to return simply back to its old self. History will likely judge the debate over China's market economy status as having contributed to the crisis and the contours of its eventual resolution. What follows is a book that richly captures the complex dimensions of an important debate that is a vital part of this story. It provides the opening coda to a continuing drama for which the ending – tragic, triumphant, or otherwise – remains yet to be written.

Mark Wu  
Henry L. Stimson Professor of Law  
Harvard Law School

# Acknowledgements

The editors of this book have been extremely fortunate to benefit from the intellectual inputs and imaginative insights of a large number of friends and colleagues during the preparation of this book. One of the editors (James Nedumpara) had an occasion to do a visiting fellowship at the University of New South Wales in Sydney in August 2017 where he had an opportunity to meet and interact extensively with his fellow editor (Weihuan Zhou). Both of us share significant research and academic interests in international trade law, especially in trade remedy law. We felt that the concept of non-market economies has an increasing relevance even in this day and age and that a book of ready reference on this topic capturing the views and thoughts of some of the leading academicians and practitioners could be a useful and timely contribution to this field.

Considering the tight deadlines that we had imposed on ourselves, it was imperative for us to get timely submissions. We are delighted that some of the leading commentators enthusiastically participated in this project and gave top priority for completing their chapters on time amidst their numerous responsibilities. We are truly grateful to them.

We owe a great deal of debt to Archana Subramanian, Senior Research Fellow at Centre for Trade and Investment Law, for going through the manuscript several times, correcting mistakes that had eluded us and reminding the authors repeatedly of each passing deadline. Archana ensured that we are on track for a timely completion of this book project.

We have received remarkable support and encouragement from our respective institutions in the production of this book. In particular, one of the editors (Nedumpara) would like to acknowledge the cooperation from the Indian Institute of Foreign Trade (IIFT) and the Department of Commerce. In particular, one of us (Nedumpara) would like to place his gratitude to the Commerce Secretary Ms. Rita Teatota, Special Secretary Dr. Anup Wadhawan, Joint Secretaries Mr. Sudhanshu Pandey and Mr. Dammu Ravi and, above all, to Dr. Manoj Pant, Director, IIFT, for their unstinted support for the various research initiatives he has taken. The other editor (Weihuan Zhou) would like to acknowledge various support that the UNSW

Law School and particularly the China International Business and Economic Law (CIBEL) Initiative have made available during the project.

One of the editors (Nedumpara) would like to express his sincere thanks to his dedicated team including Satwik Shekhar, Shiny Pradeep, Aditya Ladha, Sandeep Thomas Chandy, Girish Deepak, and Isha Das for going through some of the draft chapters. We are particularly grateful to Shruti Ramakrishnan, Advocate, and Kuladeep Medasani, a final year student at Jindal Global Law School, for providing insightful comments and for ensuring consistency in citation and formatting.

Our publisher Springer has, as always, been prompt, highly accommodative and professional in taking this project to fruition. We are extremely grateful to Ms. Sagarika Ghosh and Ms. Nupoor Singh for their support.

Last, but not least of all, we would like to thank our families—for Nedumpara, his mother Tresa, wife Sharmila and son Joseph and others, and for Zhou, his mother Lan and wife Jin and others—for their constant support and motivation without which it would have been impossible to devote time for a highly time intensive project.

New Delhi  
1 May 2018

James J. Nedumpara  
Weihsuan Zhou



## Endorsements

“Non-market Economies in the Global Trading System by James J. Nedumpara (IIFT, New Delhi) and Weihuan Zhou, University of New South Wales (Sydney, Australia) is a topical and timely scholarly work. Nedumpara and Zhou have presented a rainbow of views – illuminative, extensive, and more importantly, balanced – of one of the complex issues facing the global trading system. The assortment of essays, written by academicians and scholars from all key jurisdictions, will serve as a one-stop shop for anyone who would like to examine and understand this subject. Engagingly written and lucid in its style and approach, this book is a remarkable contribution in the field of trade remedy law.”

—**Rita Teaotia**, *Commerce Secretary, Government of India, New Delhi*

“The rulebook of the world trading system is in crisis. One of the many challenges is how to address “non-market economy” features in countries like China. This volume is unique in that it brings together both sides of the debate and goes beyond the usual rhetorics. It examines pressing but highly technical questions of trade remedy law ranging from external benchmarks and double remedies to particular market situations and China’s Accession Protocol. Useful lessons are drawn from experiences not only in China, but also Vietnam, Mexico and India. Answers to the challenges discussed in this book will determine the fate of the world trading system for decades to come.”

—**Joost Pauwelyn**, *Professor of International Law, Graduate Institute of International and Development Studies (IHEID), Genève, Switzerland; Murase Visiting Professor of Law at Georgetown Law Center, Washington D.C., USA*

“This is a very informative and instructive collection, although some of the views presented in the book will remain highly controversial and debatable. From this book, we see analysis from historical, economical, legal and technical perspectives which draw a comprehensive picture for this complex issue, i.e. the so-called non-market situation in China. Moreover, the approach to address this issue is more than welcome. Agree or not, this is a collection of opinions to start with, for both Chinese and overseas readers, practitioners and decision-makers.”

—**Guohua Yang**, *Professor, School of Law, Tsinghua University, Beijing, China*

“There is little doubt that China’s rise creates new challenges for the international economic legal order. This impressive volume of essays edited by Nedumpara and Zhou offers a comprehensive treatment of Non-market economies (NMEs), especially in the context of WTO law and domestic anti-dumping practices. Written by leading scholars and practitioners in this field, this book has tremendous appeal to anyone who is following the recent debate on China and its NME treatment.”

—**Gary Horlick**, *Partner and International Trade Lawyer, Law Offices of Gary N. Horlick, Washington D.C.; Adjunct Professor of Law, Georgetown University Law Center, Washington D.C., USA*

“How to define and treat a non-market economy (NME) is one of the longest-lasting and still most pressing challenges for the multilateral trading system, all the more so because of China’s influence in the global political economy. This volume is an impressive collection of articles about this issue written by ambitious and distinguished scholars and practitioners across the world. They provide thoughtful analyses and insights about NMEs in the context of trade remedy rules and practices of the World Trade Organisation (WTO) and major WTO Members. This book, therefore, is a rich resource, not only for academics and practitioners, but also for government officials, judges, and policy specialists. Through it, they can compare, contrast, and critically appraise the ways in which the NME issue is, and should be, addressed.”

—**Raj Bhala**, *Brenneisen Distinguished Professor, University of Kansas School of Law, Lawrence, USA; Senior Advisor, Dentons U.S. LLP; ‘On Point’ Columnist, Bloomberg Quint (India)*

# Contents

|   |     |
|---|-----|
| <b>Introduction: Non-market Economies in the Global Trading System—The Special Case of China</b> . . . . .  | 1   |
| James J. Nedumpara and Weihuan Zhou   |     |
| <b>China’s Long March to Market Economy Status: An Analysis of China’s WTO Protocol of Accession and Member Practices</b> . . . . .                         | 13  |
| James J. Nedumpara and Archana Subramanian  |     |
| <b>How China Did not Transform into a Market Economy</b> . . . . .  | 65  |
| Jorge Miranda   |     |
| <b>The Termination of the Grandfather Clause in China’s Accession Protocol and the Normal Value Construction After Fifteen Years of Accession</b> . . . . . | 99  |
| Xuewei Feng   |     |
| <b>Double Remedy: Beyond the Non-market Economy Status</b> . . . . .  | 131 |
| Katarzyna Kaszubska   |     |
| <b>External Benchmark Choices in Anti-dumping and Countervailing Duty Proceedings: A Battle of ‘Proxies’?</b> . . . . .                                     | 155 |
| Mukesh Bhatnagar, Pallavi Arora and Isha Das  |     |
| <b>The Issue of ‘Particular Market Situation’ Under WTO Anti-dumping Law</b> . . . . .  | 185 |
| Weihuan Zhou  |     |
| <b>Shifting Sands: The Evolution and Future Course of U.S. Anti-dumping Law and Practice Against China and Vietnam</b> . . . . .                            | 201 |
| Moushami Joshi  |     |
| <b>Treatment of China in EU Anti-dumping Investigations Post-December 2017: Plus ça change, plus c’est la même chose</b> . . . . .                          | 237 |
| Edwin Vermulst and Juhi Sud   |     |

**Treatment of Non-market Economies in Anti-dumping Proceedings:  
The Mexican Approach** ..... 259  
Amrita Bahri

***‘Rebuttable Presumption’ to ‘Refutable Assumption’*: An Assessment  
of Market Economy Treatment by the Indian Designated Authority  
from 1995 till 2018** ..... 281  
Sanjay Notani, Parthsarathi Jha and Rishab Raturi

**Conclusion** ..... 303  
James J. Nedumpara, Weihuan Zhou and Archana Subramanian

**Annexure** ..... 307

**Index** ..... 319

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# Abbreviations

|                           |   |
|---------------------------|---|
| ACFTU                     | All-China Federation of Trade Unions                            |
| AD                        | Anti-Dumping  |
| AD Regulations            | European Union's Anti-Dumping Regulations (as amended in 2017)  |
| ADD                       | Anti-Dumping Duty   |
| ARW                       | Aluminium Road Wheels   |
| AS                        | Anti-Subsidy  |
| CAMEX                     | Council of Ministers of the Foreign Trade Chamber               |
| CBSA                      | Canada Border Services Agency                                   |
| CCIC                      | China Chamber of International Commerce                         |
| CESTAT                    | Customs, Excise and Service Tax Appellate Tribunal              |
| CHALCO                    | Aluminum Corporation of China Limited                           |
| CITT                      | Canadian International Trade Tribunal                           |
| CNV                       | Constructed Normal Value  |
| COCEX                     | Comision de Comercio Exterior (Foreign Trade Commission—Mexico) |
| CPC                       | Communist Party of China  |
| CPE                       | Centrally Planned Economy                                       |
| CVD                       | Countervailing Duty   |
| DDG                       | Deputy Director General   |
| DET                       | Differential Export Tax   |
| DGAD/Designated Authority | Directorate General of Anti-Dumping and Allied Duties           |

|  |  |
|--|--|
| Diario Oficial                           | Diario Oficial de la Federacion<br>(Official Diary—Mexico)   |
| DSB                                      | Dispute Settlement Body  |
| EC/Commission                            | European Commission  |
| EU                                       | European Union   |
| EWR                                      | Entity-Wide Rate   |
| FOREX                                    | Foreign Exchange   |
| FTL                                      | The Foreign Trade Law—Mexico   |
| GAAP                                     | Generally Accepted Accounting<br>Principles  |
| GATT                                     | General Agreement on Tariffs and<br>Trade  |
| GDP                                      | Gross Domestic Product   |
| HRC                                      | Hot Rolled Coil  |
| IA                                       | Investigating Authority  |
| Indian Anti-Dumping Rules                | Customs Tariff (Identification,<br>Assessment and Collection of<br>Anti-Dumping Duty on Dumped<br>Articles and for Determination of<br>Injury) Rules, 1995 |
| IT                                       | Individual Treatment   |
| LME                                      | London Metal Exchange  |
| MET                                      | Market Economy Treatment   |
| MOFCOM                                   | Ministry of Commerce of the<br>People’s Republic of China  |
| MOI                                      | Market-Oriented Industry   |
| NAFTA                                    | North American Free Trade<br>Agreement   |
| NMDC                                     | National Mineral Development<br>Corporation  |
| NDRC                                     | National Development and Reform<br>Commission—China  |
| NME                                      | Non-Market Economy   |
| OCTG                                     | Oil Country Tubular Goods  |
| PCN                                      | Product Control Number   |
| PMS                                      | Particular Market Situation  |
| POI                                      | Period of Investigation  |
| PPA                                      | Protocol of Provisional Application,<br>1947   |
| PPP                                      | Purchasing Power Parity  |
| PRC                                      | People’s Republic of China   |
| Protocol of Accession/Accession Protocol | China’s Accession Protocol to the<br>World Trade Organization, 2001  |
| SCM                                      | Subsidies and Countervailing<br>Measures   |

|                |  |
|----------------|--|
| S, G&A         | Selling, General and Administrative expenses   |
| SIE            | State-Invested Enterprises   |
| SIMA           | Special Imports Measures Act—Canada  |
| SIMR           | Special Imports Measures Regulation—Canada   |
| SOE            | State-Owned Enterprises  |
| TDI            | Trade Defense Instruments  |
| TMRO           | Trade Measures Review Officer  |
| TPEA           | Trade Preferences Extension Act, 2015  |
| TPP            | Trans-Pacific Partnership  |
| UPCI           | Unidad de Practicas Comerciales Internacionales (Unit on International Trade Practices—Mexico) |
| US Regulations | The United States Code of Federal Regulations  |
| US Tariff Act  | The United States Tariff Act, 1930   |
| USA            | United States of America   |
| USDOC          | United States Department of Commerce   |
| USTR           | United States Trade Representative   |
| VAT            | Value-Added Tax  |
| VCLT           | Vienna Convention on the Law of Treaties, 1969   |
| WTO            | World Trade Organization   |

# List of Cases

## WTO Panel and Appellate Body Reports

| Short title                                   | Full case title and citation   |
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| Argentina—Footwear (EC) (2000)                | Appellate Body Report, <i>Argentina—Safeguard Measures on Imports of Footwear</i> , WTO Doc. WT/DS121/AB/R (adopted Jan. 12, 2000)   |
| Australia—Automotive Leather (21.5) (2000)    | Appellate Body Report, <i>Australia—Subsidies provided to Producers and Exporters of Automotive Leather, Recourse to Article 21.5 of the DSU by the United States</i> , WTO Doc. WT/DS126/RW (adopted Feb. 11, 2000)   |
| Brazil—Aircraft (2001)                        | Appellate Body Report, <i>Brazil—Export Financing Programme for Aircraft Recourse by Canada to Article 21.5 of the DSU</i> , WTO Doc. WT/DS46/AB/RW (adopted Aug. 4, 2000)<br>Panel Report, <i>Brazil—Export Financing Programme for Aircraft</i> , WTO Doc. WT/DS46/R (adopted Aug. 20, 1999) |
| Canada—Aircraft (1999)                        | Appellate Body Report, <i>Canada—Measures Affecting the Export of Civilian Aircraft</i> , WTO Doc. WT/DS70/AB/R (adopted Aug. 20, 1999)  |
| Canada—Aircraft Credit and Guarantees (2002)  | Panel Report, <i>Canada—Export Credits and Loan Guarantees for Regional Aircraft</i> , WTO Doc. WT/DS222/P/R (adopted Feb. 19, 2002)   |
| Canada—Dairy (1999)                           | Appellate Body Report, <i>Canada—Measures Affecting the Importation of Milk and the Exportation of Dairy Products</i> , WTO Doc. WT/DS103/AB/R, WT/DS113/AB/R (adopted Oct. 27, 1999)  |
| Canada—Wheat Exports and Grain Imports (2004) | Appellate Body Report, <i>Canada—Measures Relating to Exports of Wheat and Treatment of Imported Grain</i> , WTO Doc. WT/DS276/AB/R (adopted Sep. 27, 2004)  |

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| Short title  | Full case title and citation   |
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| China—Publications and Audiovisual Products (2010)       | Appellate Body Report, <i>China—Measures Affecting Trading Rights and Distribution Services for Certain Publications and Audiovisual Entertainment Products</i> , WTO Doc. WT/DS363/AB/R (adopted Jan. 19, 2010)<br>Panel Report, <i>China—Measures Affecting Trading Rights and Distribution Services for Certain Publications and Audiovisual Entertainment Products</i> , WTO Doc. WT/DS363/R (adopted Jan. 19, 2010) |
| China—Rare Earths (2014)                                 | Panel Report, <i>China—Measures Related to the Exportation of Rare Earths, Tungsten and Molybdenum</i> , WTO Doc. WT/DS431/R, WT/DS432/R and WT/DS433/R (adopted Aug. 29, 2014)  |
| China—Raw Materials (2012)                               | Panel Report, <i>China—Measures Related to the Exportation of Various Raw Materials</i> , WTO Doc. WT/DS394/R, WT/DS395/R and WT/DS398/R (adopted Feb. 22, 2012)   |
| EC—Fasteners (China) (2011)                              | Appellate Body Report, <i>European Communities—Definitive Anti-Dumping Measures on Certain Iron or Steel Fasteners from China</i> , WTO Doc. WT/DS397/AB/R (adopted Jul. 15, 2011)<br>Panel Report, <i>European Communities—Definitive Anti-Dumping Measures on Certain Iron or Steel Fasteners from China</i> , WTO Doc. WT/DS397/P/R (adopted on Jul. 15, 2010)  |
| EC—Hormones (1998)                                       | Appellate Body Report, <i>European Communities—Measures Concerning Meat and Meat Products</i> , WTO Doc. WT/DS26/AB/R, WT/DS48/AB/R (adopted Feb. 13, 1998)  |
| EC—Salmon (Norway) (2008)                                | Panel Report, <i>EC—Anti-Dumping Measure on Farmed Salmon from Norway</i> , WTO Doc. WT/DS337/R (adopted Jan. 15, 2008)  |
| EC—Sardines (2002)                                       | Appellate Body Report, <i>European Communities—Trade Description of Sardines</i> , WTO Doc. WT/DS231/AB/R (adopted Oct. 23, 2002)  |
| EC—Tariff Preferences (2004)                             | Appellate Body Report, <i>EC—Conditions for Granting Tariff Preferences to Developing Countries</i> , WTO Doc. WT/DS246/AB/R (adopted Apr. 20, 2004)   |
| EC and certain member States—Large Civil Aircraft (2011) | Appellate Body Report, <i>European Communities—Measures Affecting Trade in Large Civil Aircraft</i> , WTO Doc. WT/DS316/AB/R (adopted Jun. 1, 2011)  |
| Egypt—Steel Rebar (2002)                                 | Panel Report, <i>Egypt—Definitive Anti-Dumping Measures on Steel from Turkey</i> , WTO Doc. WT/DS211/R (adopted Oct. 1, 2002)  |

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| EU—Biodiesel (2016)  | Appellate Body Report, <i>European Union—Anti-Dumping Measures on Biodiesel from Argentina</i> , WTO Doc. WT/DS473/AB/R (adopted Oct. 26, 2016)<br>Panel Report, <i>European Union—Anti-Dumping Measures on Biodiesel from Argentina</i> , WTO Doc. WT/DS473/R (adopted Oct. 26, 2016)   |
| EU—Biodiesel (Indonesia) (2018)                            | Panel Report, <i>European Union—Anti-Dumping Measures on Biodiesel from Indonesia</i> , WTO Doc. WT/DS480/6 (adopted Feb. 28, 2018)  |
| EU—Footwear (China) (2012)                                 | Panel Report, <i>European Union—Anti-Dumping Measures on Certain Footwear from China</i> , WTO Doc. WT/DS405/P/R (adopted Feb. 22, 2012)   |
| India—Agricultural Products (2015)                         | Appellate Body Report, <i>India—Measures Concerning the Importation of Certain Agricultural Products</i> , WTO Doc. WT/DS430/AB/R (adopted Jun. 19, 2015)  |
| India—Patents (US) (1998)                                  | Appellate Body Report, <i>India—Patent Protection for Pharmaceutical and Agricultural Products</i> , WTO Doc. WT/DS50/AB/R (adopted Jan. 16, 1998)   |
| Japan—Alcoholic Beverages II (2009)                        | Appellate Body Report, <i>Japan—Taxes on Alcoholic Beverages</i> , WTO Doc. WT/DS8/AB/R, WT/DS10/AB/R, WT/DS11/AB/R (adopted Nov. 1, 1998)   |
| US—Anti-Dumping and Countervailing Duties (China) (2011)   | Appellate Body Report, <i>United States—Definitive Anti-Dumping and Countervailing Duties on Certain Products from China</i> , WTO Doc. No. WT/DS379/AB/R (adopted Mar. 11, 2011)<br>Panel Report, <i>United States—Definitive Anti-Dumping and Countervailing Duties on Certain Products from China</i> , WTO Doc. WT/DS379/R (adopted Mar. 11, 2011)   |
| US—Carbon Steel (India) (2014)                             | Appellate Body Report, <i>United States—Countervailing Measures on Certain Hot-Rolled Carbon Steel Flat Products from India</i> , WTO Doc. WT/DS436/AB/R (adopted Dec. 19, 2014)<br>Panel Report, <i>United States—Countervailing Measures on Certain Hot-Rolled Carbon Steel Flat Products from India</i> , WTO Doc. WT/DS436/R (adopted Dec. 19, 2014) |
| US—Continued Zeroing (2009)                                | Appellate Body Report, <i>United States—Continued Existence and Application of Zeroing Methodology</i> , WTO Doc. WT/DS350/AB/R (adopted Feb. 19, 2009)  |
| US—Countervailing and Anti-Dumping Measures (China) (2014) | Appellate Body Report, <i>United States—Countervailing and Anti-Dumping Measures on Certain Products from China</i> , WTO Doc. WT/DS449/AB/R (adopted Jul. 7, 2014)  |
| US—Countervailing Measures (China) (2014)                  | Appellate Body Report, <i>United States—Countervailing Duty Measures on Certain Products from China</i> , WTO Doc. No. WT/DS437/AB/R (adopted Dec. 18, 2014)   |

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| Short title  | Full case title and citation   |
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| US—Export Restraints (2001)                              | Panel Report, <i>United States—Measures Treating Export Restraints as Subsidies</i> , WTO Doc. WT/DS194/R (adopted Aug. 23, 2001)  |
| US—Large Civil Aircraft (2nd Complaint) (2012)           | Appellate Body Report, <i>United States—Measures Affecting Trade in Large Civil Aircraft—Second Complaint</i> , WTO Doc. WT/DS353/AB/R (adopted Mar. 23, 2012)   |
| US—Softwood Lumber III (2002)                            | Panel Report, <i>United States—Preliminary Determinations with Respect to Certain Softwood Lumber from Canada</i> , WTO Doc. WT/DS236/R (adopted Nov. 1, 2002)   |
| US—Softwood Lumber IV (2004)                             | Appellate Body Report, <i>United States—Final Countervailing Duty Determination with respect to Certain Softwood Lumber from Canada</i> , WTO Doc. WT/DS257/AB/R (adopted Feb. 17, 2004)<br>Panel Report, <i>United States—Final Countervailing Duty Determination with respect to Certain Softwood Lumber from Canada</i> , WTO Doc. WT/DS257/R (adopted Feb. 17, 2004) |
| US—Softwood Lumber V (2004)                              | Appellate Body Report, <i>United States—Final Dumping Determination on Softwood Lumber from Canada V</i> , WTO Doc. WT/DS264/AB/R (adopted Aug. 31, 2004)<br>Panel Report, <i>United States—Final Dumping Determination on Softwood Lumber from Canada V</i> , WTO Doc. WT/DS264/R (adopted Aug. 31, 2004)   |
| US—Softwood Lumber VI (2006)                             | Appellate Body Report, <i>United States—Investigation of the International Trade Commission in Softwood Lumber from Canada</i> , WTO Doc. WT/DS277/AB/R (adopted May 9, 2006)  |
| US—Upland Cotton (2008)                                  | Appellate Body Report, <i>United States—Subsidies on Upland Cotton</i> , WTO Doc. WT/DS267/AB/R (adopted Jun. 20, 2008)<br>Panel Report, <i>United States—Subsidies on Upland Cotton</i> , WTO Doc. WT/DS267/P/R (adopted Jun. 20, 2008)   |
| US—Wool Shirts and Blouses (1997)                        | Appellate Body Report, <i>US—Measures Affecting Imports of Woven Wool Shirts and Blouses from India</i> , WTO Doc. WT/DS33/AB/R (adopted May 23, 1997)   |
| US—Zeroing (Japan) (2007)                                | Appellate Body Report, <i>United States—Measures Relating to Zeroing and Sunset Reviews</i> , WTO Doc. WT/DS322/AB/R (adopted Jan. 9, 2007)  |
| US—Countervailing Measures on Certain EC Products (2002) | Appellate Body Report, <i>US—Countervailing Measures on Certain EC Products</i> , WTO Doc. WT/DS212/AB/R (adopted Jan. 8, 2003)  |



## GATT Panel Reports

| Short title                    | Full case title and citation  |
|--------------------------------|---|
| EC—Cotton Yarn (Brazil) (1995) | Panel Report, <i>EC—Imposition of Anti-Dumping Duties on Imports of Cotton Yarn from Brazil</i> , GATT Doc. ADP/137 (adopted on Jul. 4, 1995) |
| US—Manufacturing Clause (1984) | Panel Report, <i>United States—Manufacturing Clause</i> , GATT Doc. L/5609 (adopted on May 15, 1984)  |

## Anti-dumping Investigations

### I. Mexico

| Investigating country/authority—short title (investigated country) (year) | Full title and citation  |
|---|--|
| Mexico—Polyester Short Fiber Investigation (China) (2018)                 | Notice for Initiation: Polyester short fiber (China), (Secretaria De Economia, Feb. 6, 2018) (initiation notification) <a href="http://www.contactopyme.gob.mx/upci/paginas/3187.pdf">http://www.contactopyme.gob.mx/upci/paginas/3187.pdf</a> (Mex.)                  |
| Mexico—Bicycles for Children (China) (2012)                               | Notice for Initiation: Bicycles for Children (China), (Secretaria De Economia, Mar. 5, 2012) (initiation notification) <a href="http://www.contactopyme.gob.mx/upci/paginas/1611.pdf">http://www.contactopyme.gob.mx/upci/paginas/1611.pdf</a> (Mex.)                  |
| Mexico—Metallic Plastic Balloons Investigation (China) (2017)             | Notice of Initiation: Metallic Plastic Balloons (China), DIARIO OFF. (Secretaría de Economía, Jun. 26, 2017) (initiation notification), <a href="http://www.contactopyme.gob.mx/upci/paginas/3158.pdf">http://www.contactopyme.gob.mx/upci/paginas/3158.pdf</a> (Mex.) |
| Mexico—Micro Wires Investigation (China) (2017)                           | Notice of Initiation: Micro-wires for Welding (China), DIARIO OFF. (Secretaría de Economía, Aug. 10, 2017) (initiation notification) <a href="http://www.contactopyme.gob.mx/upci/paginas/3173.pdf">http://www.contactopyme.gob.mx/upci/paginas/3173.pdf</a> (Mex.)    |

### II. USA

| Investigating country/authority—short title (investigated country) (year) | Full title and citation  |
|---|--|
| USA—Menthol Fair Value Decision (China) (1981)                            | Final Determination of Sales at Less Than Fair Value: Natural Menthol from the People’s Republic of China 46 Fed. Reg. 24614 (U.S. Dep’t Com., 1981) (final determ.) |

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| Investigating country/authority—short title (investigated country) (year) | Full title and citation   |
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| USA—Lined Paper Products Investigation (China) (2006)                     | Anti-dumping Duty Investigation of Certain Lined Paper Products from the People’s Republic of China (“China”)-China’s status as a non-market economy, (U.S. Dep’t Com. Aug. 30, 2006), <a href="http://enforcement.trade.gov/download/prc-nme-status/prc-lined-paper-memo-08302006.pdf">http://enforcement.trade.gov/download/prc-nme-status/prc-lined-paper-memo-08302006.pdf</a>  |
| USA—Aluminum Foil Investigation (China) (2017)                            | Certain Aluminum Foil from the People’s Republic of China: Notice of Initiation of Inquiry Into the Status of the People’s Republic of China as a Nonmarket Economy Country Under the Anti-dumping and Countervailing Duty Laws, 82 Fed. Reg. 62, 16162 (U.S. Dep’t Com., Mar. 29, 2017) (initiation notif.), <a href="https://www.gpo.gov/fdsys/pkg/FR-2017-04-03/pdf/2017-06535.pdf">https://www.gpo.gov/fdsys/pkg/FR-2017-04-03/pdf/2017-06535.pdf</a> |
| USA—Iron Soil Pipe Investigation (China) (2017)                           | Cast Iron Soil Pipe Fittings from the People’s Republic of China: Initiation of Less-Than-Fair Value Investigation, 82 Fed. Reg. 37,053, 37,055 (U.S. Dep’t Com., 2017) (initiation notif.)   |
| USA—Stainless Steel Flanges Investigation (China and India) (2017)        | Stainless Steel Flanges from India and the People’s Republic of China: Initiation of Less-Than-Fair-Value Investigations 82 Fed. Reg. 42629, 42651 (U.S. Dep’t Com., 2017) (initiation notif.)  |
| USA—Diphosphonic Acid Decision (China) (2017)                             | Issues and Decision Memorandum for the Final Determination of the Less-Than-Fair-Value Investigation of 1-Hydroxyethylidene-1, 1-Diphosphonic Acid from People’s Republic of China, (U.S. Dep’t Com., Mar. 20, 2017) (final determ.) <a href="http://enforcement.trade.gov/frn/summary/prc/2017-05805-1.pdf">http://enforcement.trade.gov/frn/summary/prc/2017-05805-1.pdf</a>  |
| USA—Hardwood Plywood Products Investigation (China) (2017)                | Decision Memorandum for the Preliminary Determination in the Anti-dumping Duty Investigation of Certain Hardwood Plywood Products from the People’s Republic of China, (U.S. Dep’t Com., Jun. 16, 2017) (prelim. determ.), <a href="http://www.hpva.org/sites/default/files/HWPW%20AD%20Prelim%20I&amp;D%20Memo.pdf">http://www.hpva.org/sites/default/files/HWPW%20AD%20Prelim%20I&amp;D%20Memo.pdf</a>  |
| USA—Polyester Staple Fiber Decision (China) (2017)                        | U.S. Department of Commerce, <i>Certain Polyester Staple Fiber from the People’s Republic of China: Decision Memorandum for the Preliminary Results of the 2015–2016 Anti-dumping Duty Administrative Review</i> , (U.S. Dep’t Com., Feb. 27, 2017) (prelim. determ.), <a href="http://enforcement.trade.gov/frn/summary/prc/2017-04134-1.pdf">http://enforcement.trade.gov/frn/summary/prc/2017-04134-1.pdf</a>  |

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| Investigating country/authority—short title<br>(investigated country) (year)                     | Full title and citation  |
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| USA—Citric Acid and Citrate Salts Decision<br>(China) (2017)                                     | Decision Memorandum for the Preliminary Results of Anti-dumping Duty...Citric Acid and Certain Citrate Salts from the People's Republic of China, (U.S. Dep't Com., Jan. 31, 2017) (prelim. determ.), <a href="http://enforcement.trade.gov/fm/summary/prc/2017-02528-1.pdf">http://enforcement.trade.gov/fm/summary/prc/2017-02528-1.pdf</a>  |
| USA—Glycine Decision (China) (2017)  | Decision Memorandum for the Preliminary Results of Anti-dumping Duty Administrative Review: Glycine from the People's Republic of China; 2015–2016, (U.S. Dep't Com., Mar. 31, 2017) (prelim. determ.), <a href="http://enforcement.trade.gov/fm/summary/prc/2017-06994-1.pdf">http://enforcement.trade.gov/fm/summary/prc/2017-06994-1.pdf</a>  |
| USA—Cased Pencils Decision (China) (2017)  | U.S. Department of Commerce, Issues and Decision Memorandum for Certain Cased Pencils from the People's Republic of China: Final Results of Anti-dumping Duty Administrative Review; 2014–2015, (U.S. Dep't Com., May 22, 2017) (final determ.), <a href="http://enforcement.trade.gov/fm/summary/prc/2017-11053-1.pdf">http://enforcement.trade.gov/fm/summary/prc/2017-11053-1.pdf</a> |
| USA—Oscillating Fans Investigation (China) (1991)  | Oscillating Fans and Ceiling Fans from the People's Republic of China (preliminary determinations of sales at less than fair value), 56 Fed. Reg. 25,664, 25,667 (U.S. Dep't Com., 1991) (prelim. determ.)   |
| USA—Chrome Plated Lug Nuts Investigation (China) (1991)  | Chrome-Plated Lug Nuts from the People's Republic of China, 56 Fed. Reg. 46,153, 46,154 (U.S. Dep't Com., 1991) (initiation notif.)  |
| USA—Fish Fillets Decision (Vietnam) (2003)   | Notice of Anti-dumping Duty Order: Certain Frozen Fish Fillets from the Socialist Republic of Vietnam, 68 Fed. Reg. 47909 (U.S. Dep't Com., Aug. 12, 2003)   |
| USA—Warmwater Shrimp Investigation (Brazil, China, Ecuador, India, Thailand, and Vietnam) (2004) | Institution of Anti-dumping Investigations and Scheduling of Preliminary Phase Investigations: Certain Frozen or Canned Warmwater Shrimp and Prawns from Brazil, China, Ecuador, India, Thailand, and Vietnam, 69 Fed. Reg. 1301 (U.S. Int'l Trade Com., Jan. 8, 2004) (initiation notif.)   |
| USA—Sheet Glass Investigation (Czechoslovakia) (1962)  | Jalousie-Louvre Sized Sheet Glass from Czechoslovakia, 27 Fed. Reg. 8457 (U.S. Treasury Dep't., 1962)  |

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| Investigating country/authority—short title<br>(investigated country) (year) | Full title and citation   |
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| USA—Argentina Biodiesel Determination<br>(Argentina) (2017)                  | Decision Memorandum for the Preliminary Determination in the Less-Than-Fair-Value Investigation of Biodiesel from Argentina, (U.S. Dep’t Com., Oct. 19, 2017) (prelim. determ.), <a href="https://enforcement.trade.gov/fm/summary/indonesia/2017-23602-1.pdf">https://enforcement.trade.gov/fm/summary/indonesia/2017-23602-1.pdf</a>  |
| USA—Chile Salmon Determination (Chile)<br>(1998)                             | U.S. Department of Commerce, <i>Notice of Final Determination of Sales at Less than Fair Value: Fresh Atlantic Salmon from Chile</i> , 63 Fed. Reg. 31411 (U.S. Dep’t Com., 1998) (final determ.)   |
| USA—Indonesia Biodiesel Determination<br>(Indonesia) (2017)                  | Decision Memorandum for the Preliminary Determination in the Less-Than-Fair-Value Investigation of Biodiesel from Indonesia, (U.S. Dep’t Com., Oct. 19, 2017) (prelim. determ.), <a href="https://enforcement.trade.gov/fm/summary/indonesia/2017-23602-1.pdf">https://enforcement.trade.gov/fm/summary/indonesia/2017-23602-1.pdf</a>  |
| USA—Carbon Steel Pipe Decision (China)<br>(2012)                             | Section 129 Proceeding Pursuant to the WTO Appellate Body’s Findings in WTO DS79 Regarding the Antidumping and Countervailing Duty Investigations of Circular Welded Carbon Quality Steel Pipe from the People’s Republic of China, Memorandum (U.S. Dep’t Com., July 31, 2012) (final determ.)   |
| USA—OCTG Decision (Korea) (2017)   | Issues and Decision Memorandum for the Final Results of the 2014–2015 Administrative Review of the Anti-dumping Duty Order on Certain Oil Country Tubular Goods from the Republic of Korea, (U.S. Dep’t Com., Apr. 10, 2017) (final determ.), <a href="http://enforcement.trade.gov/frn/summary/korea-south/2017-07684-1.pdf">http://enforcement.trade.gov/frn/summary/korea-south/2017-07684-1.pdf</a> |
| USA—Steel Wire Rod (Czechoslovakia)<br>(1984)                                | Final Negative Countervailing Duty Determination in Carbon Steel Wire Rod from Czechoslovakia, 49 US Fed. Reg. 89 (U.S. Dep’t Com., May 7, 1984) (final determ.), <a href="http://cdn.loc.gov/service/ll/fedreg/fr049/fr049089/fr049089.pdf">http://cdn.loc.gov/service/ll/fedreg/fr049/fr049089/fr049089.pdf</a>   |
| USA—Wax Candles Determination (China)<br>(1986)                              | Petroleum Wax Candles from the People’s Republic of China: Final Determination of Sales at Less than Fair Value, 51 Fed. Reg. 25085 (U.S. Dep’t Com., 1986) (final determ.)   |

### III. European Union

| Investigating country/authority—short title (investigated country) (year) | Full title and citation  |
|---|--|
| EC—Melamine Anti-Dumping Investigation (China) (2011)                     | European Commission, Commission Regulation (EU) No. 1035/2010 of 15 November 2010 imposing a provisional anti-dumping duty on imports of melamine originating in the People's Republic of China, 2011 O.J. (L298)10  |
| EC—Tubes CVD Decision (India) (2016)                                      | European Commission, Commission Implementing Regulation (EU) 2016/387 of 17 March 2016 Imposing a Definitive Countervailing Duty on Import of Tubes and Pipes of Ductile Cast Iron (also known as Spheroid Graphite Cast Iron) originating in India, 2016 O.J. (L73) 1                 |
| EU—Coated Fine Paper Subsidy Decision (China) (2011)                      | European Council, Council Implementing Regulation (EU) No. 452/2011 of May 6, 2011, imposing a definitive anti-subsidy duty on imports of coated fine paper originating in the People's Republic of China, 2011 O.J. (L128) 18   |
| EU—Coated Fine Paper AD Decision (China) (2011)                           | European Council, Council Implementing Regulation (EU) No. 451/2011 of May 6, 2011, imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of coated fine paper originating in the People's Republic of China, 2011 O.J. (L128) 1 |
| EU—Biodiesel AD Decision (USA) (2009)                                     | European Council, Council Regulation 599/2009 of July 7, 2009 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of biodiesel originating in the United States of America, 2009 O.J. (L179) 26                                |
| EU—Biodiesel CVD Decision (USA) (2009)                                    | European Council, Council Regulation No. 598/2009 of July 7, 2009 on imposing a definitive countervailing duty and collecting definitively the provisional duty imposed on imports of biodiesel originating in the United States of America, 2009 O.J. (L179) 1                        |
| EU—Biodiesel CVD Decision (Argentina and Indonesia) (2013)                | European Council, Council Implementing Regulation (EU) No. 1194/2013 of 19 November 2013, imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of biodiesel originating in Argentina and Indonesia, 2013 O.J. (L315) 2          |
| EC—Retreaded Tyres Investigation (China) (2017)                           | European Commission, Notice of initiation of an anti-dumping proceeding concerning imports of new and retreaded tyres for buses or lorries originating in the People's Republic of China, 2017 O.J. (C264)   |

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| Investigating country/authority—short title (investigated country) (year) | Full title and citation  |
|---|--|
| EC—Lever Arch (China) (2017)  | European Commission, Notice of initiation of an expiry review of the anti-dumping measures applicable to imports of lever arch mechanisms originating in the People’s Republic of China, 2017 O.J. (C290) 3, 5   |
| EC—Tartaric Acid Investigation (China) (2017)                             | European Commission, Notice of initiation of an expiry review of the anti-dumping measures applicable to imports of tartaric acid originating in the People’s Republic of China, 2017 O.J. (C122)  |
| EU—Stainless Steel Decision (China and Taiwan) (2017)                     | European Commission, <i>Commission implementing Regulation (EU) 2017/141 of 26 January 2017 imposing definitive anti-dumping duties on imports of certain stainless steel tube and pipe butt welding fittings, whether or not finished, originating in the People’s Republic of China and Taiwan</i> , 2017 O.J. (L22)   |
| EC—Hot-rolled Flat Products Decision (China) (2017)                       | European Commission, Commission implementing Regulation (EU) 2017/649 of 5 April 2017 imposing a definitive anti-dumping duty on imports of certain hot-rolled flat products of iron, non-alloy or other alloy steel originating in the People’s Republic of China, 2017 O.J. (L92) 68   |
| EC—Seamless Pipes and Tubes Decision (China) (2017)                       | European Commission, Commission implementing Regulation (EU) 2017/804 of 11 May 2017 imposing a definitive anti-dumping duty on imports of certain seamless pipes and tubes of iron (other than cast iron) or steel (other than stainless steel), of circular cross-section, of an external diameter exceeding 406,4 mm, originating in the People’s Republic of China, 2017 O.J. (L121) 3 |

#### IV. India

| Investigating country/authority—short title (investigated country) (year)   | Full title and citation   |
|---|---|
| DGAD—Saccharin Investigation (China) (2011)                                 | Sun Set Review of Anti-dumping duties imposed on imports of Saccharin originating in or exported from China PR, (Ministry and Com. & Indus., Dec. 7, 2011) (final find.), <a href="http://www.dgtr.gov.in/sites/default/files/adfin_ssr_saccharin_chinapr.pdf">http://www.dgtr.gov.in/sites/default/files/adfin_ssr_saccharin_chinapr.pdf</a> |
| DGAD—Solar Cells Decision (China, Malaysia, Chinese Taipei, and USA) (2001) | Anti-dumping investigation concerning imports of Solar Cells, whether or not assembled partially or fully in Modules or   |

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| Investigating country/authority—short title<br>(investigated country) (year) | Full title and citation   |
|--|---|
|  | Panels or on glass or some other suitable substrates, originating in or exported from Malaysia, China PR, Chinese Taipei and USA, (Ministry and Com. & Indus., May 22, 2001) (final find.), <a href="http://commerce.nic.in/writereaddata/traderemedies/adfin_Solar_Cells_Malaysia_ChinaPR_Chinese_Taipei_USA.pdf">http://commerce.nic.in/writereaddata/traderemedies/adfin_Solar_Cells_Malaysia_ChinaPR_Chinese_Taipei_USA.pdf</a> |
| DGAD—Phosphoryl Chloride Investigation (China) (2015)                        | Anti-Dumping Investigations concerning imports of Diethyl Thio Phosphoryl Chloride originating in or exported from China PR, (Ministry and Com. & Indus., May 6, 2010) (final find.), <a href="http://www.dgtr.gov.in/sites/default/files/adfin_Diethyl_Thio_Phosphoryl_Chloride_ChinaPR.pdf">http://www.dgtr.gov.in/sites/default/files/adfin_Diethyl_Thio_Phosphoryl_Chloride_ChinaPR.pdf</a>                                     |
| DGAD—Albendazole Investigation (China) (2015)                                | Anti-dumping investigation concerning imports of “Albendazole” originating in on exported from China PR, (Ministry and Com. & Indus., Nov. 5, 2015) (final find.), <a href="http://www.dgtr.gov.in/sites/default/files/adifin_Albendazole_ChinaPR.pdf">http://www.dgtr.gov.in/sites/default/files/adifin_Albendazole_ChinaPR.pdf</a>  |
| DGAD—Melamine Investigation (China) (2015)                                   | Sunset Review of Anti-Dumping duty on Imports of “Melamine” originating in or exported from China PR, (Ministry and Com. & Indus., Dec. 5, 2015) (final find.), <a href="http://www.dgtr.gov.in/sites/default/files/adfin_SSR_2_melamine_chinaPR.pdf">http://www.dgtr.gov.in/sites/default/files/adfin_SSR_2_melamine_chinaPR.pdf</a>   |
| DGAD—Wire Rod Investigation (China) (2017)                                   | Anti-dumping investigation concerning imports of “Wire Rod of Alloy or Non-Alloy Steel” originating in or exported from China PR, (Ministry and Com. & Indus., Aug. 30, 2017) (final find.), <a href="http://www.dgtr.gov.in/sites/default/files/FF%20WR-NCV.pdf">http://www.dgtr.gov.in/sites/default/files/FF%20WR-NCV.pdf</a>  |
| DGAD—FKM Investigation (China) (2018)  | Anti-dumping investigation concerning imports of Fluoroelastomers (FKM) from People’s Republic of China (Ministry and Com. & Indus., Jan. 2, 2018) (initiation notif.), <a href="http://www.dgtr.gov.in/sites/default/files/Initiation%20-%20English.pdf">http://www.dgtr.gov.in/sites/default/files/Initiation%20-%20English.pdf</a>   |
| DGAD—Belting Fabric Investigation (China) (2017)                             | Anti-Dumping investigation concerning imports of “Belting Fabric” originating in or exported from People’s Republic of China (Ministry and Com. & Indus., Aug. 23, 2017) (initiation notif.), <a href="http://www.dgtr.gov.in/sites/default/files/Belting%20Fabric%20Initiation.pdf">http://www.dgtr.gov.in/sites/default/files/Belting%20Fabric%20Initiation.pdf</a>   |

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| Investigating country/authority—short title<br>(investigated country) (year) | Full title and citation  |
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| DGAD—Wind Electricity Investigation<br>(China) (2017)                        | Anti-dumping investigation concerning imports of Castings for Wind Operated Electricity Generators, whether or not machined, in raw, finished or subassembled form...from China PR, (Ministry and Com. & Indus., Jul. 28, 2017) (final find.), <a href="http://www.dgtr.gov.in/sites/default/files/casting.pdf">http://www.dgtr.gov.in/sites/default/files/casting.pdf</a>   |
| DGAD—Phenyl Methyl Pyrazolone Investigation (China) (2017)                   | Sunset Review (SSR) Anti-dumping investigation concerning imports of “1–Phenyl-3-Methyl-5-Pyrazolone” originating in or exported from China PR, (Ministry and Com. & Indus., Aug. 9, 2017) (final find.), <a href="http://www.dgtr.gov.in/sites/default/files/Final%20Finding%20-NCV%20Ver.%20Final.pdf">http://www.dgtr.gov.in/sites/default/files/Final%20Finding%20-NCV%20Ver.%20Final.pdf</a>  |
| DGAD—Pentaerythritol Investigation (China) (2017)                            | Final Findings in the Sunset Review of Anti-dumping duty imposed on the imports of Pentaerythritol originating in or exported from China PR, (Ministry and Com. & Indus., May 12, 2017) (final find.), <a href="http://www.dgtr.gov.in/sites/default/files/penta%20FF.V1_0.pdf">http://www.dgtr.gov.in/sites/default/files/penta%20FF.V1_0.pdf</a>   |
| DGAD—Sodium Nitrate Investigation (China) (2017)                             | Sunset Review of Anti-dumping duty imposed on the imports of Sodium Nitrite originating in or exported from China PR, (Ministry and Com. & Indus., Jul. 19, 2017) (final find.), <a href="http://www.dgtr.gov.in/sites/default/files/SNI-NCV.FFV1_.pdf">http://www.dgtr.gov.in/sites/default/files/SNI-NCV.FFV1_.pdf</a>   |
| DGAD—Rubber Chemicals Investigation (China) (2017)                           | Sunset Review investigation of Anti-dumping duty imposed on the imports of Certain Rubber Chemicals, namely, TDQ & PX-13 originating in or exported from the European Union and MOR and MBTS originating in or exported from the Peoples Republic of China, (Ministry and Com. & Indus., Sep. 2, 2017) (final find.) <a href="http://www.dgtr.gov.in/sites/default/files/RC.NCVdona.final-english.pdf">http://www.dgtr.gov.in/sites/default/files/RC.NCVdona.final-english.pdf</a> |
| DGAD—TDI Investigation (China, Japan and Korea) (2017)                       | Anti-dumping Investigation concerning imports of “Toluene Di-Isocyanate (TDI)” originating in or exported from China PR, Japan or Korea RP, (Ministry and Com. & Indus., Mar. 28, 2017) (final find.)  |
| DGAD—Color Coated Alloy Investigation (China and EU) (2017)                  | Anti-dumping investigation concerning imports of “Color coated/prepainted flat products of alloy or non-alloy steel” originating in or exported from China PR and European Union-reg, (Ministry and Com. & Indus., Aug. 30, 2017) (final find.), <a href="http://www.dgtr.gov.in/sites/default/files/FF%20CC-%20NCV.pdf">http://www.dgtr.gov.in/sites/default/files/FF%20CC-%20NCV.pdf</a>   |

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| Investigating country/authority—short title<br>(investigated country) (year)        | Full title and citation  |
|---|--|
| DGAD—Grinding Metal Balls Investigation<br>(China and Thailand) (2017)              | Initiation of Sunset review investigation concerning imports “Grinding Media Balls” (excluding Forged Grinding Media Balls) from China PR and Thailand (Ministry and Com. & Indus., Jul. 4, 2017) (initiation notif.), <a href="http://www.dgtr.gov.in/sites/default/files/initiation%20notification%20.V1_0.pdf">http://www.dgtr.gov.in/sites/default/files/initiation%20notification%20.V1_0.pdf</a>               |
| DGAD—High tenacity Polyester Investigation (China and Thailand) (2017)              | Initiation of Anti-Dumping Duty Investigation Concerning Imports of “High Tenacity Polyester Yarn” Originating in or Exported from China PR (Ministry and Com. & Indus., Jun. 15, 2017) (initiation notif.), <a href="http://www.dgtr.gov.in/sites/default/files/High%20Tenacity%20Polyester%20Yarn.compressed.pdf">http://www.dgtr.gov.in/sites/default/files/High%20Tenacity%20Polyester%20Yarn.compressed.pdf</a> |
| DGAD—Straight Length Bars Investigation (China) (2017)                              | Initiation of anti-dumping investigation concerning imports of “Straight Length Bars & Rods of Alloy Steel” originating in or exported from China PR (Ministry and Com. & Indus., Sep. 22, 2017) (initiation notif.), <a href="http://www.dgtr.gov.in/sites/default/files/Initiation%20English.pdf">http://www.dgtr.gov.in/sites/default/files/Initiation%20English.pdf</a>  |
| DGAD—Polypropylene Decision (Oman, Saudi Arabia, and Singapore) (2009)              | Anti-Dumping Investigation concerning Imports of Polypropylene Originating in or Exported from Oman, Saudi Arabia and Singapore—Final Findings, No. 14/5/2009-DGAD (Ministry and Com. & Indus., 2009) (final find.)  |
| DGAD—Cathode Tubes Investigation (China, Korea, Malaysia, Thailand) (2009)          | Anti-Dumping Investigations concerning imports of Cathode Ray Colour Television Picture Tubes originating in or exported from Malaysia, Thailand, China PR and Korea, F. No. 14/8/2007-DGAD, (Ministry and Com. & Indus., Feb.17, 2009)(final find.)   |
| DGAD—Filament Yarn Investigation (China, South Korea, Taiwan, Vietnam) (2017)       | Anti-dumping duty investigation concerning imports of Elastomeric Filament Yarn from China PR, South Korea, Taiwan and Vietnam, F. No. 14/29/2015-DGAD, (Ministry and Com. & Indus., Mar. 24, 2017) (final find.)  |
| DGAD—Nylon Tyre Cord Fabric Investigation (China) (2005)                            | Anti-dumping investigations concerning import of Nylon Tyre Cord Fabric (NTCF) originating in or exported from China PR, F. No. 14/20/2003-DGAD, (Ministry and Com. & Indus., Mar. 9, 2005) (final find.)  |
| DGAD—Compact Fluorescent Lamps Investigation (China, Sri Lanka, and Vietnam) (2009) | Anti-dumping investigations concerning imports of Compact Fluorescent Lamps originating in/exported from China PR,   |

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| Investigating country/authority—short title<br>(investigated country) (year)   | Full title and citation  |
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|  | Vietnam and Sri Lanka,<br>F. No. 14/1/2007-DGAD, (Ministry and Com. & Indus., Feb. 27, 2009) (final find.)   |
| DGAD—Vitamin A Palmitate Investigation<br>(China, Switzerland) (2007)  | Directorate General of Anti-dumping and Allied Duties, Anti-Dumping Investigation concerning imports of Vitamin-A Palmitate originating in or exported from Switzerland and China PR, F. No. 14/11/2005-DGAD, (Ministry and Com. & Indus., Sep. 14, 2007) (final find.)                              |
| DGAD—Flat Base Steel Wheels<br>Investigation (China) (2007)  | Anti-dumping investigations concerning imports of Flat-Base Steel Wheels originating in/exported from China PR,<br>F. No. 14/8/2005-DGAD, 15, (Ministry and Com. & Indus., Nov. 28, 2007) (final find.)  |
| DGAD—SDH Equipment Investigation<br>(China and Israel) (2010)  | Anti-Dumping Investigations concerning imports of SDH Equipment originating in or exported from China PR and Israel,<br>F. No. 14/2/2009-DGAD (Ministry and Com. & Indus., Oct. 19, 2010) (final find.)  |
| DGAD—Circular Weaving Machines<br>Decision (China) (2010)  | Final Findings of Anti-dumping investigation on imports of Circular Weaving Machines having six or more shuttles for weaving PP/HDPE Fabrics of a width exceeding 30 cms, originating in or exported from China PR, F. No. 14/25/2008-DGAD (Ministry and Com. & Indus., Nov. 16, 2010) (final find.) |
| DGAD—Bus and Truck Tyres Investigation<br>(China and Thailand) (2010)  | Antidumping investigation involving import of Bus and Truck Radial Tyres, originating in or exported from China PR and Thailand,<br>F. No. 14/17/2008-DGAD (Ministry and Com. & Indus., Jan. 1, 2010) (final find.)  |
| DGAD—Copper Clad Laminates<br>Investigation (China, Hong Kong, Korea,<br>Singapore, Philippines, Taiwan, and<br>Thailand) (2003) | Anti-dumping investigation concerning imports of Copper Clad Laminates originating in or exported from China PR, Taiwan, Hong Kong, Korea RP, Singapore, Philippines and Thailand, F.M. 14/44/2002-DGAD (Ministry and Com. & Indus., Dec. 23, 2003) (final find.)                                    |
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| Investigating country/authority—short title (investigated country) (year)                              | Full title and citation   |
|--|---|
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| DGAD—Penicillin Potassium Investigation (China) (2011)   | Anti-Dumping Investigations involving imports of Penicillin-G Potassium originating in or exported from China PR and Mexico and 6-APA originating in or exported from China PR, F. No. 14/19/2009-DGAD, (Ministry and Com. & Indus., Jan. 20, 2011) (final find.)       |
| DGAD—Ceramic Roller Investigation (China) (2018)   | Anti-dumping duty investigation on the imports of Ceramic Roller originating in or exported from China, F.No. 14/47/2016-DGAD (Ministry and Com. & Indus., Mar. 26, 2018) (final find.)   |
| DGAD—Phosphorus Pentoxide Investigation (China) (2018)   | Anti-dumping investigation concerning imports of “Phosphorus Pentoxide” originating in or exported from China, F. No. 14/47/2016—DGAD (Ministry and Com. & Indus., Mar. 5, 2018) (final find.)  |
| DGAD—Glassware Investigation (China) (2018)  | Anti-dumping investigation concerning imports of Glassware originating in or exported from People’s Republic of China and Indonesia, F. No. 14/45/2016—DGAD (Ministry and Com. & Indus., Mar. 5, 2018) (final find.)  |
| DGAD—Carbon Black Rubber Investigation (Australia, China, Iran, Malaysia, Russia, and Thailand) (2009) | Anti-Dumping Investigations concerning imports of “Carbon Black used in rubber applications” originating in or exported from Australia, China PR, Iran, Malaysia, Russia and Thailand, F. No. 14/21/2008-DGAD (Ministry and Com. & Indus., Dec. 24, 2009) (final find.) |

## V. Australia

| Investigating country/authority—short title (investigated country) (year)       | Full title and citation  |
|---|--|
| Australia—A4 Copy Paper Decision (Brazil, China Indonesia, and Thailand) (2017) | Anti-Dumping Commission, Alleged Dumping of A4 Copy Paper Exported from the Federative Republic of Brazil, the People’s Republic of China, the Republic of Indonesia and the |

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| Investigating country/authority—short title<br>(investigated country) (year)    | Full title and citation   |
|---|---|
|   | <p>Kingdom of Thailand, (Mar. 17, 2017)(Austl.), <a href="http://adcommission.gov.au/cases/EPR%20301%20%20350/EPR%20341/221%20-%20Report%20-%20Final%20Report%20-%20REP%20341.pdf">http://adcommission.gov.au/cases/EPR%20301%20%20350/EPR%20341/221%20-%20Report%20-%20Final%20Report%20-%20REP%20341.pdf</a></p> <p>Anti-Dumping Commission, A4 Copy Paper from Brazil, China, Indonesia and Thailand, EPR 341 (Austl.), <a href="http://www.adcommission.gov.au/cases/Pages/CurrentCases/EPR-341.aspx">www.adcommission.gov.au/cases/Pages/CurrentCases/EPR-341.aspx</a></p> <p>Anti-Dumping Commission, White Uncoated A4 Copy (Cut Sheet) Paper Exported from The Federal Republic of Brazil, the People’s Republic of China, the Republic of Indonesia and the Kingdom of Thailand: Application for the publication of dumping and/or countervailing duty notices, (Feb., 2016) (Austl.), <a href="http://www.adcommission.gov.au/cases/EPR%20301%20%20350/EPR%20341%20-%20archived%2018%20October%202017/001%20-%20APPLICATION%20A4%20Copy%20Paper%20-%20Public%20File.pdf">http://www.adcommission.gov.au/cases/EPR%20301%20%20350/EPR%20341%20-%20archived%2018%20October%202017/001%20-%20APPLICATION%20A4%20Copy%20Paper%20-%20Public%20File.pdf</a></p> |
| <p>Australia—HSS Decision (China, Korea, Malaysia, Taiwan, Thailand) (2012)</p> | <p>Trade Measures Review Officer, Decision of the Trade Measures Review Officer—Hollow Structural Sections, (Dec. 14, 2012), <a href="http://www.adcommission.gov.au/cases/Documents/TMRO-HollowStructuralSections-Decision14Dec12.pdf">http://www.adcommission.gov.au/cases/Documents/TMRO-HollowStructuralSections-Decision14Dec12.pdf</a></p> <p>Austl. Customs &amp; Border Protection Serv., Certain Hollow Structural Sections Exported from the people’s Republic of China, the Republic of Korea, Malaysia, Taiwan and the Kingdom of Thailand, Report to the Minister No. 177 (Jun. 7, 2012)</p>   |
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| <p>Australia—Stainless Steel Sinks (China) (2015)</p>                           | <p>Anti-Dumping Commission, Alleged Dumping of Deep Drawn Stainless Steel Sinks Exported from the People’s Republic of China, and Alleged Subsidisation of Deep Drawn Stainless Steel Sinks Exported from the People’s Republic of China, Report No. 238 (Feb. 15, 2015)</p>  |

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| Investigating country/authority—short title (investigated country) (year) | Full title and citation  |
|---|--|
| Australia—Galvanized Steel and Coated Steel (China) (2013)                | Austl. Customs & Border Protection Serv., Dumping of Zinc Coated (Galvanised) Steel and Aluminium Zinc Coated Steel Exported from the People’s Republic of China, the Republic of Korea and Taiwan, Report to the Minister No. 190 (Apr. 30, 2013) |
| Australia—Crystalline Silicone Decision (China) (2015)                    | Anti-Dumping Commission, Alleged Dumping of Certain Crystalline Silicon Photo voltaic Modules or Panels Exported from the People’s Republic of China, Report No. 239 (Oct. 6, 2015)  |

## VI. Brazil

| Investigating country/authority—short title (investigated country) (year) | Full title and citation  |
|---|--|
| Brazil—Technical Porcelain Decision (China) (2014)                        | Resolution No. 122 of December 18, 2014: Applies a trade defense measure, for a period of up to five (5) years, to Brazilian imports of technical porcelain, originating in the People’s Republic of China, (Ministry Indus., Foreign Trade & Serv., Dec. 18, 2014), <a href="http://www.camex.gov.br/component/content/article/62-resolucoes-da-camex/em-vigor/1446-resolucao-n-122-de-18-de-dezembro-de-2014">http://www.camex.gov.br/component/content/article/62-resolucoes-da-camex/em-vigor/1446-resolucao-n-122-de-18-de-dezembro-de-2014</a> |
| Brazil—Thermal Bottles Decision (China) (2017)                            | Resolution No. 46 of July 5, 2017: Extending a definitive anti-dumping duty for a period of up to five (5) years, applied to Brazilian imports of thermal bottles originating in the People’s Republic of China, (Ministry Indus., Foreign Trade & Serv., Jul. 5, 2017), <a href="http://www.camex.gov.br/component/content/article/62-resolucoes-da-camex/em-vigor/1878-(resolucao-n-46-de-5-de-julho-de-2017">http://www.camex.gov.br/component/content/article/62-resolucoes-da-camex/em-vigor/1878-(resolucao-n-46-de-5-de-julho-de-2017</a>     |
| Brazil—Viscose Fabrics Decision (China) (2017)                            | Extending a definitive anti-dumping duty for a period upto 5 (five) years in respect of Brazilian imports of viscose fabrics originating in the People’s Republic of China (Ministry Indus., Foreign Trade & Serv., Feb. 16, 2017), <a href="http://www.camex.gov.br/component/content/article/62-resolucoes-da-camex/em-vigor/1787-resolucao-n-07-de-16-de-fevereiro-de-2017">http://www.camex.gov.br/component/content/article/62-resolucoes-da-camex/em-vigor/1787-resolucao-n-07-de-16-de-fevereiro-de-2017</a>                                  |

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| Investigating country/authority—short title (investigated country) (year) | Full title and citation   |
|---|---|
| Brazil—Tempered Glass Decision (China) (2017)                             | Resolution No. 5 of February 16, 2017: Imposes definitive anti-dumping duty for a period of up to five (5) years on Brazilian imports of tempered and rolled automotive glass originating in the People’s Republic of China, (Ministry Indus., Foreign Trade & Serv., Feb. 16, 2017), <a href="http://www.camex.gov.br/component/content/article/62-resolucoes-da-camex/em-vigor/1785-resolucao-n-05-de-16-de-fevereiro-de-2017">http://www.camex.gov.br/component/content/article/62-resolucoes-da-camex/em-vigor/1785-resolucao-n-05-de-16-de-fevereiro-de-2017</a> |

## VII. Canada

| Investigating country/authority—short title (investigated country) (year)  | Full title and citation   |
|--|---|
| Canada—Silicon Metal Investigation (China) (2013)                          | Certain Silicon Metal Originating in or Exported from the People’s Republic of China-Statement of Reasons, AD1400/4214-39 (Can. Border Serv. Agency, May 21, 2013)  |
| Canada—Steel Pipe Investigation (China and Japan) (2016)                   | Large diameter carbon and alloy steel line pipe from China and Japan-Statement of Reasons, AD1408/4214-47 (Can. Border Serv. Agency, Nov. 28, 2016)   |
| Canada—Concrete Reinforcing Bar Investigation (China, Japan, Spain) (2016) | Certain Concrete Reinforcing Bar from Republic of Belarus (Belarus), Chinese Taipei, the Hong Kong Special Administrative Region of the People’s Republic of China, Japan, the Portuguese Republic and the Kingdom of Spain-Notice of Initiation of Section 20 Inquiry, RB 2017 RI (Can. Border Serv. Agency, Nov. 7, 2016) |
| Canada—Fabricated Steel Investigation (2017)                               | Fabricated Industrial Steel Components-Statement of Reasons, FISC 2016 IN (Can. Border Serv. Agency, May 10, 2017)  |
| Canada—Polyethylene Investigation (2017)                                   | Certain Polyethylene Terephthalate Resin Statement of Reasons, PETR 2017 IN (Can. Border Serv. Agency, Sep. 1, 2017)  |

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2. *GPX Int’l Tire Corp. v. United States*, 666 F.3d 732 (C.A. Fed 2011).
3. *GPX Int’l Tire Corp. v. United States (GPX 2)*, No. 08-00285, 2010 WL 3835022, 9-10 (Ct. Int’l Trade 2010).

4. *In re Vitamin C Antitrust Litigation*, No. 13-4791 (2d Cir-2016), at 1, 3, 6, (Brief of Amicus Curie by the Ministry of Commerce of the People's Republic of China), United States District Court Eastern District of New York (Sep. 22, 2006).
5. *In re Vitamin C Antitrust Litigation*, (Brief of Amicus Curie by the Ministry of Commerce of the People's Republic of China), United States Court of Appeals for the Second Circuit, (April 14, 2014).

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2. *Shenyang Matsushita S. Battery Co. Ltd. v. Exide Industries Ltd.*, 2005 (181) E.L.T. 320 (S.C.), (2005).

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3. *Case 35/01, Shanghai Teraoka Electronic Co. Ltd v. Council*, Judgment of Court of First Instance (Fourth Chamber, extended composition), 2004 ECR II-3671.
4. *Case T-498/04, Zhejiang Xinan Chemical Group Industrial v. Council*, Judgment of Court of First Instance (Fourth Chamber), 2009 ECR II-01969.
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2. EU submissions: Request for Consultation, *European Union—Measures Related to Price Comparison Methodologies*, WTO Doc., WT/DS516/R (Dec. 12, 2016), [http://trade.ec.europa.eu/doclib/docs/2017/december/tradoc\\_156476.pdf](http://trade.ec.europa.eu/doclib/docs/2017/december/tradoc_156476.pdf), [http://trade.ec.europa.eu/doclib/docs/2017/november/tradoc\\_156401.pdf](http://trade.ec.europa.eu/doclib/docs/2017/november/tradoc_156401.pdf).

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