

18 February 2013

(13-0881) Page: 1/2

Original: English

UNITED STATES – ANTI-DUMPING ADMINISTRATIVE REVIEWS AND OTHER MEASURES RELATED TO IMPORTS OF CERTAIN ORANGE JUICE FROM BRAZIL

JOINT COMMUNICATION FROM THE UNITED STATES AND BRAZIL

The following communication, dated 14 February 2013, from the delegation of the United States and the delegation of Brazil, is circulated at the request of those delegations.

The United States and Brazil would like to inform the Dispute Settlement Body of the attached Mutually Satisfactory Solution between the United States and Brazil with respect to the dispute *United States – Anti-Dumping Administrative Reviews and Other Measures Related to Imports of Certain Orange Juice from Brazil* (WT/DS382).

We request that you please circulate the attached Mutually Satisfactory Solution to the Members of the Dispute Settlement Body.

MUTUALLY AGREED SOLUTION IN UNITED STATES – ANTI-DUMPING ADMINISTRATIVE REVIEWS AND OTHER MEASURES RELATED TO IMPORTS OF CERTAIN ORANGE JUICE FROM BRAZIL

The United States of America and the Federative Republic of Brazil (collectively "the Parties") have agreed as follows with respect to the dispute *United States – Anti-Dumping Administrative Reviews and Other Measures Related to Imports of Certain Orange Juice from Brazil* (WT/DS382) ("the dispute").

The Parties note that, in February 2012, the United States modified the methodology used in antidumping administrative reviews with regard to the methodology referred to as "zeroing", effective with respect to reviews pending before the U.S. Department of Commerce for which the preliminary results are issued after April 16, 2012. See Antidumping Proceedings: Calculation of the Weighted Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings; Final Modification, 77 Fed. Reg. 8,101 (Feb. 14, 2012).

The Parties note that in their Understanding of April 3, 2012, they agreed to consult before the end of 2012 in order to achieve a resolution to the dispute.

As a result of these consultations, the United States and Brazil have reached a mutually satisfactory solution in this dispute.

This mutually satisfactory solution is otherwise without prejudice to the rights and obligations of the United States and Brazil under the WTO agreements and their respective positions of principle of as expressed in the Understanding of April 3, 2012.

(signed)
FOR THE GOVERNMENT OF THE
UNITED STATES OF AMERICA

(signed)
FOR THE GOVERNMENT OF THE
FEDERATIVE REPUBLIC OF Brazil

Geneva, 14 February 2013