



14 June 2019

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**UNITED STATES – ANTI-DUMPING MEASURES ON CERTAIN OIL
COUNTRY TUBULAR GOODS FROM KOREA**

**STATUS REPORT REGARDING IMPLEMENTATION OF THE
DSB RECOMMENDATIONS AND RULINGS
BY THE UNITED STATES**

Addendum

The following communication, dated 13 June 2019, from the delegation of the United States to the Chairperson of the Dispute Settlement Body, is circulated pursuant to Article 21.6 of the DSU.

The United States submits this report in accordance with Article 21.6 of the *Understanding on Rules and Procedures Governing the Settlement of Disputes* ("DSU").

On 12 January 2018, the Dispute Settlement Body ("DSB") adopted its recommendations in *United States – Anti-Dumping Measures on Certain Oil Country Tubular Goods from Korea* (WT/DS488). At the DSB meeting held on 9 February 2018, the United States informed the DSB of its intention to implement the recommendations of the DSB in connection with this matter.

On 26 February 2018, the United States and Korea informed the DSB that they had agreed that the reasonable period of time to implement the DSB's recommendations and rulings would be 12 months, expiring on 12 January 2019. On 11 January 2019, the United States and Korea informed the DSB that they had mutually agreed to modify the reasonable period of time. The reasonable period of time now expires on 12 July 2019.

On 23 November 2018, the U.S. Department of Commerce published a notice in the Federal Register indicating that it "is commencing a proceeding to gather information, analyze record evidence, and consider the determination which would be necessary to bring its measures into conformity with the recommendations and rulings of the Dispute Settlement Body."¹ In the notice, the U.S. Department of Commerce invited interested parties wishing to participate in this proceeding to file letters of appearance and submit applications for disclosure of business proprietary information.

On 24 May 2019, the U.S. Department of Commerce published a decision memorandum in which it preliminarily determined that it was appropriate to clarify the scope of the antidumping duty order on certain oil country tubular goods from the Republic of Korea. The U.S. Department of Commerce also preliminarily determined that it was unable to use respondents' actual data to determine profit for constructed value, resorted to a reasonable method to determine the appropriate data to calculate this profit, and calculated and applied a profit cap based on "facts available." The U.S. Department of Commerce indicated that interested parties may submit comments on the agency's analysis no later than 7 June 2019, and rebuttal comments no later than 14 June 2019.

¹ *Notice of Commencement of a Compliance Proceeding Pursuant to Section 129 of the Uruguay Round Agreements Act*, 83 Fed. Reg. 59,359 (Nov. 23, 2018).