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**UNITED STATES – CONTINUED DUMPING AND
SUBSIDY OFFSET ACT OF 2000**

COMMUNICATION FROM THE EUROPEAN UNION

The following communication, dated 13 May 2016, from the delegation of the European Union to the Chairperson of the Dispute Settlement Body, is circulated at the request of that delegation.

On 26 November 2004, the Dispute Settlement Body ("DSB") granted authorization to the European Union to suspend concessions and related obligations under the General Agreement on Tariffs and Trade 1994 ("GATT 1994") in accordance with the decision of the Arbitrator in *United States - Continued Dumping and Subsidies Offset Act of 2000*. The authorization was made pursuant to the European Union request (WT/DS217/39) made under Article 22.7 of the Understanding on Rules and Procedures Governing the Settlement of Disputes ("DSU"). In that request, the European Communities undertook to notify the DSB every year the list of products on which the additional import duty would apply, prior to the entry into force of a level of suspension of concessions.

On 29 April 2005, the European Union notified the DSB that it was suspending, as of 1 May 2005, the application of concessions and related obligations under GATT 1994 on imports of certain products originating in the United States of America (WT/DS217/47). The list of products subject to this suspension of concessions was modified on 1 May 2006 (WT/DS217/49), on 1 May 2007 (WT/DS217/51), on 1 May 2008 (WT/DS217/53), on 1 May 2009 (WT/DS217/55), on 1 May 2010 (WT/DS 217/57), on 1 May 2011 (WT/DS217/59), on 1 May 2012 (WT/DS217/61), on 1 May 2013 (WT/DS217/63), on 1 May 2014 (WT/DS217/65) and on 1 May 2015 (WT/DS217/67). The relevant Commission Delegated Regulation (EU) 2016/654 of 28 February 2016 maintains unchanged the list of products subject to retaliation. On the other hand, the rate of additional duty to which those products are subjected decreases to 0,45% in order to adjust to the level of retaliation.

The updated list is attached. The suspension, which applies as from 1 May 2016, covers, over one year, a total value of trade that does not exceed USD 887 696.

The amount of USD 887 696 is the European Union's current level of authorization established through arbitration under Article 22.6 of the DSU. It represents 72 *percent* of USD 1 232 911 collected from the European Union's exports and disbursed to U.S. companies in the distribution under the *Continued Dumping and Subsidy Offset Act of 2000* for the most recent year for which data are available. The amount of relevant disbursements was identified based on the CDSOA Annual Report for Fiscal Year 2015, published by U.S. Customs and Border Protection on 12 November 2015, and additionally on the basis of updated annual disbursement reports for 2011 and 2014 published by U.S. Customs and Border Protection on 12 April 2015.

The European Union kindly asks the Secretariat to circulate this notification to the Members of the DSB.

**Products subject to a 0,45% additional import duty
as from 1 May 2016**

The products on which the 0,45% additional import duty would apply are those classified under the listed eight-digit CN codes, as provided in annex I to Council Regulation (EEC) No. 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff as replaced by Commission Regulation (EC) No 1810/2004 (OJ L 327, 30.10.2004, p. 1). The product descriptions hereunder are given for information purpose only.

| Subject to the 0,45% additional import duty as from 1 May 2016 | CN codes | Description of products |
|---|-----------------|---|
| | 0710 40 00 | Sweet corn, uncooked or cooked by steaming or by boiling in water, frozen |
| | 9003 19 30 | Frames and mountings for spectacles, goggles or the like, of base metal |
| | 8705 10 00 | Crane lorries (excl. breakdown lorries) |
| | 6204 62 31 | Women or girls' cotton denim trousers and breeches |
