

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

Communication from the European Communities

The following communication, dated 23 April 2009, from the delegation of the European Communities to the Chairman 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 Communities 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 Communities' 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 Communities 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) and will be modified again on 1 May 2009. The relevant Commission Regulation No 317/2009¹ will remove products classified under 14 codes of the EC's tariff and statistical nomenclature from the list of products subject to an *ad valorem* additional duty of 15% when originating in the United States of America. The updated list is attached. The suspension, which will apply as from 1 May 2009, covers, over one year, a total value of trade that does not exceed US\$16,31 million.

US\$16,31 million is the European Communities' current level of authorization established through arbitration under Article 22.6 of the DSU. It represents 72 *percent* of US\$ 22,653 million collected from the European Communities' exports and disbursed to US 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 using the CDSOA Annual Report for Fiscal Year 2008, published by US Customs and Border Protection on 15 January 2009.

The European Communities kindly requests the Secretariat to circulate this notification to the Members of the DSB.

¹ *Official Journal of the European Union* L 100 of 18 April 2009 at <http://eur-lex.europa.eu/JOHtml.do?uri=OJ:L:2009:100:SOM:EN:HTML>

**Products that will be subject to a 15% additional import duty
as from 1 May 2009**

The products on which the 15% additional import duty will 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 amended by Commission Regulation (EC) No 493/2005 (OJ L 82, 31.3.2005, p. 1). The product descriptions hereunder are given for information purpose only.

Subject to the 15% additional import duty since 1 May 2005	4820 10 50	Diaries with calendars, of paper or paperboard
	6204 63 11	Women's or girls' trousers and breeches, of synthetic fibres, industrial and occupational (excl. knitted or crocheted and bib and brace overalls)
	6204 69 18	Women's or girls' trousers and breeches, of artificial fibres (not of cut corduroy, of denim or knitted or crocheted and excl. industrial and occupational clothing, bib and brace overalls, briefs and track suit bottoms)
	6204 63 90	Women's or girls' shorts of synthetic fibres (excl. knitted or crocheted, panties and swimwear)
	6104 63 00	Women's or girls' trousers, bib and brace overalls, breeches and shorts (other than swimwear), knitted or crocheted, of synthetic fibres
	6203 43 11	Men's or boys' trousers and breeches of synthetic fibres, industrial and occupational (excl. knitted or crocheted and bib and brace overalls)
	6103 43 00	Men's or boys' trousers, bib and brace overalls, breeches and shorts (other than swimwear), knitted or crocheted, of synthetic fibres
	6204 63 18	Women's or girls' trousers and breeches, of synthetic fibres (not of cut corduroy, of denim or knitted or crocheted and excl. industrial and occupational clothing, bib and brace overalls, briefs and track suit bottoms)
	6203 43 19	Men's or boys' trousers and breeches of synthetic fibres (excl. knitted or crocheted, industrial and occupational, bib and brace overalls and underpants)
	6204 69 90	Women's or girls' trousers, bib and brace overalls, breeches and shorts of textile materials (excl. of wool, fine animal hair, cotton or artificial fibres, knitted or crocheted, panties and swimwear)
	6203 43 90	Men's or boys' shorts of synthetic fibres (excl. knitted or crocheted, underpants and swimwear)
	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)