

**UNITED STATES – LAWS, REGULATIONS AND METHODOLOGY FOR  
CALCULATING DUMPING MARGINS ("ZEROING")**

Recourse to Article 22.6 of the DSU by the United States

The following communication, dated 12 February 2010, from the delegation of the United States to the Chairman of the Dispute Settlement Body, is circulated pursuant to Article 22.6 of the DSU.

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The United States is in receipt of the request by the European Union in the dispute *United States – Laws, Regulations and Methodology for Calculating Dumping Margins ("Zeroing")* (WT/DS294) in the document "Recourse to Article 22.2 of the DSU by the European Union" (WT/DS294/35). My authorities have instructed me to inform you that, pursuant to Article 22.6 of the *Understanding on Rules and Procedures Governing the Settlement of Disputes* ("DSU"), the United States (i) objects to the level of suspension of concessions or other obligations proposed by the European Union in document WT/DS294/35, and (ii) claims that the European Union's proposal in document WT/DS294/35 does not follow the principles and procedures set forth in paragraph 3 of Article 22 of the DSU.

Accordingly, as required by Article 22.6 of the DSU,<sup>1</sup> the matter has been referred to arbitration.

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<sup>1</sup> Pursuant to Article 22.6 of the DSU, "if the Member concerned objects to the level of suspension proposed, or claims that the principles and procedures set forth in paragraph 3 have not been followed" then "the matter shall be referred to arbitration."