

Recent US Escape Clause and Anti dumping Cases ¹

Targeted Products	Targeted Country	US Trade Law	Status
Steel	Japan, Australia, India, Sweden, Thailand	Section 201 ⁱ	Repealed in Dec 2003 after WTO ruled unfavorably.
Ball Bearings	Japan, Germany	Byrd Amendment ⁱⁱ	Ruled illegal by WTO
Roller Bearings, shorter	Japan	Byrd Amendment	Ruled illegal by WTO
Crawfish Tail Meat	Japan	Byrd Amendment	Ruled illegal by WTO
Stainless steel and sheet	Japan	Byrd Amendment	Ruled illegal by WTO
Carbon steel flat products	Canada	Byrd Amendment	Ruled illegal by WTO
Stainless Steel sheet and strip	Mexico	Byrd Amendment	Ruled illegal by WTO
Canned Pineapple	Thailand	Byrd Amendment	Ruled illegal by WTO
Wax Candles	China	Byrd Amendment	Ruled illegal by WTO
Pencils	China	Byrd Amendment	Ruled illegal by WTO
Softwood lumber ⁱⁱⁱ	Canada	Section 301 ^{iv}	WTO & NAFTA have ruled against the US position
Wooden Bedroom Furniture	China		US International Trade Commission (USITC) to make final decision on December 2004
Color Television	China/Malaysia	Antidumping duty	USITC ruled to institute duty on May 14, 2004
Cotton	Brazil		

ⁱ Section 201 of US Trade Law allows the government to protect industries hit by sudden floods of imports, regardless of whether the goods are dumped.

ⁱⁱ The Continued Dumping and Subsidy Offset Act of 2000 (known as the "Byrd Amendment") requires Customs to disburse antidumping and countervailing (AD/CV) duties to domestic producers injured by unfair foreign dumping and subsidies. The US Customs and Border Protection Paid out \$190 Million in Byrd Amendment Claims in 2003.

ⁱⁱⁱ On April 1, 1996, limitations were placed on the amount of lumber permitted to enter the United States from Canada. The limitations came from a joint agreement called the U.S.-Canada Softwood Lumber Agreement (SLA), which was signed in 1996 and is now set to expire in March, 2001. The 20-year-old US-Canada softwood dispute reemerged in 2001 after the expiration of a

¹ This memo compiled by Shisir Khanal, 9/20/2004.

trade deal. A US anti-dumping investigation resulted in Washington imposing duties ranging from 2.18 percent to 12.44 percent on Canadian softwood products in April 2002.

The US has claimed that Canadian softwood is subsidised and that a so-called flood of Canadian imports has been injurious to the United States.

^{iv} Congress enacted Section 301 as part of the Trade Act of 1974, and it is the principal law authorizing the U.S. government to address unfair trade practices. Section 301 directs the President to identify countries that are engaging in unfair trade practices, and to take trade actions against those countries, including sanctions if necessary, to remedy the problem.