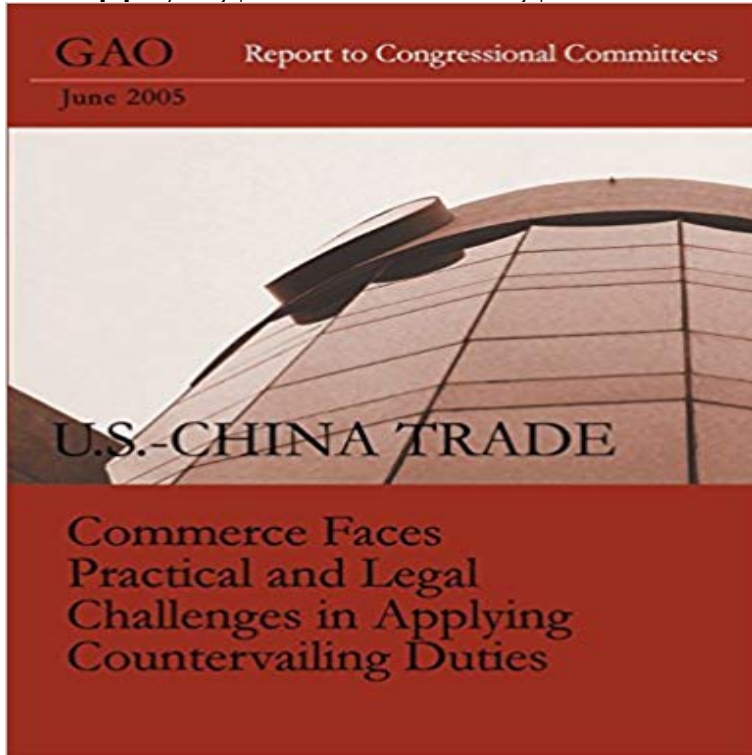


U.S.-CHINA TRADE Commerce Faces Practical and Legal Challenges in Applying Countervailing Duties



U.S. producers that believe themselves injured by subsidized Chinese imports have not been able to obtain relief through CVD actions because China is considered a nonmarket economy country (NME) under U.S. law and practice. In two 1984 cases, the Department of Commerce declined to make CVD determinations for NME countries on the grounds that it lacked explicit legal authority to impose CVDs on NME countries and that, as a practical matter, it could not arrive at economically meaningful conclusions regarding subsidies in such countries and therefore could not rationally apply the CVD laws. Commerce based the latter finding on its conclusion that, in such countries, government intervention in the economy is so pervasive that meaningful comparisons between subsidized and market-determined prices are not possible. A federal appeals court subsequently upheld Commerce's determinations.

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Trade Remedies and Non-Market Economies - World bank documents status in December 2016.¹ For China, the practical consid-. 1. hearing on the US-China bilateral trade agreement and accession recent US policy decision to begin use of countervailing reduced the size of applied antidumping duties may thus Under US law, the Department of Commerce must. **U.S.-China Trade: Challenges and Choices to Apply Countervailing USChina trade Commerce faces practical and legal challenges in** methodologies for applying AD law, including using surrogate country data Countervailing Duty (CVD) Law and Nonmarket Economies (NMEs) . . Chinas WTO Challenge: United StatesAnti-Dumping and Countervailing Duties 05-474, U.S.-China Trade: Commerce Faces Practical and Legal **GAO-06-608T U.S.-China Trade: Challenges and Choices to Apply** U.S.-China Trade: Commerce Faces Practical and Legal Challenges in Applying Countervailing Duties (17-JUN-05, GAO-05-474). Some U.S. companies allege **Baker and Hostetler LLP** Find great deals for U S -China Trade : Commerce faces practical and legal challenges in applying countervailing Duties by United States. Government (2011 **GAO-05-474 U.S.-China Trade: Commerce Faces Practical and** Report to Congressional Committees: June 2005: U.S.-China Trade: Commerce Faces Practical and Legal Challenges in Applying Countervailing Duties: **U.S. GAO - U.S.-China Trade: Commerce Faces Practical and Legal** trade Commerce faces practical and legal challenges in applying countervailing duties : report to

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