Chapter Four

Controversies Over U.S. AD/CVD Procedures

As the U.S. antidumping and countervailing-duty laws have evolved over time, so have the procedures for implementing them. The steady decline in U.S. tariffs since World War II in accord with the various negotiating rounds of the General Agreement on Tariffs and Trade has resulted in steadily increasing competition for domestic industries from imports. The Section 201 escape clause provides relief for domestic industries suffering from such increased competition (see Chapter 1). Industries usually prefer, however, to obtain protection under the AD/CVD laws rather than the escape clause whenever they can (see Chapter 5).

As the laws became more inclusive, industries were more frequently able to obtain protection under the AD/CVD laws. Gradually, industry began to view and use the AD/CVD laws as an alternative to the escape clause--that is, as a general source of protection when foreign competition became excessive.

The evolution of the AD/CVD laws and procedures reflects this view and use: the laws and procedures have fairly consistently changed in the direction of eliminating their defects as a general source of protection from all imports, whether fair or unfair (that is, dumped or subsidized). Many of the procedures that have evolved have an ad hoc quality and appear biased if one views the purpose of the AD/CVD laws as protection against predatory pricing or other unfair practices. Consequently, they have drawn considerable criticism from economists and others familiar with the economics of trade. The procedures appear more reasonable if one believes that the AD/CVD laws should provide a general source of protection from any foreign competition that becomes or threatens to become excessive--and if one believes that the fairness or unfairness of imports is less important than the injury they cause to competing U.S. industries.

This chapter discusses a number of the procedures that have been the subject of dispute or criticism. In some cases, an understanding of the dispute requires an understanding of the overall process that the U.S. administrative authorities use to investigate and assess duties in AD/CVD cases. A brief overview of the process appears in Box 2. A more detailed overview is given in Appendix B.

Using Statutory Minima for Profit and Administrative Overhead

Under U.S. antidumping law, the price of an import must be compared with the price charged for the same product when sold elsewhere, or with its cost of production, which can be constructed from available data. When the import price is compared with the constructed value because of inadequate home-market or third-country sales, the constructed value must, by law, include an amount for general, selling, and administrative costs (GS&A) of at least 10 percent and a profit margin of at least 8 percent. In line with this requirement, the Department of Commerce uses either the actual values of GS&A and profits determined from the investigated firm's books or the respective statutory minimum percentages, whichever is greater.

Box 2.
A Brief Overview of the U.S. AD/CVD Administrative Process

Two agencies are involved in administering the antidumping and countervailing-duty laws of the United States. The Department of Commerce (DOC) determines whether or not the imports in question are being dumped (subsidized), and the International Trade Commission (ITC) determines whether or not they are causing material injury to the competing U.S. industry. Each case goes through four determinations: a preliminary determination by the ITC of injury, a preliminary determination by DOC of dumping or subsidy, a final determination by DOC of dumping or subsidy, and a final determination by the ITC of injury.

After being initiated by an industry petition or by DOC on its own, each case undergoes a preliminary determination by the ITC of injury. If the ITC finds no reasonable indication of material injury, the investigation is terminated. Otherwise, the case continues to the next stage, which is the preliminary determination by DOC of dumping (or subsidy). That determination does not affect the final outcome of the case. Its purpose is to determine whether duties must be deposited on the goods in question that are imported while the rest of the investigation continues, and if so, what the duty deposit rate should be.

The case then proceeds to the final DOC dumping (or subsidy) determination. If the determination is negative--that is, if DOC determines that the imports are not being dumped (or subsidized)--the investigation is terminated and any duties that may have been deposited are refunded. If the determination is positive, the case proceeds to the final determination by the ITC of injury. If that determination is negative--that is, if the ITC determines that the dumped (or subsidized) imports are not causing material injury to the competing U.S. industry--then any duties deposited are refunded and no antidumping (or countervailing) duties are imposed on future imports. If the determination is positive, then antidumping (or countervailing) duties are assessed on future imports.

The system is retrospective in nature. When goods under AD/CVD orders are imported, the importer is required to make duty deposits equal to the dumping or subsidy margin determined on previous imports of the good in question. The actual duty is assessed later--within a year and based on the dumping or subsidy margin for the current imports if there has been a review to determine that margin. If the duty is larger than the deposit, the importer must make up the difference with interest. If it is smaller than the deposit, the excess is refunded with interest.

Sometimes investigations are suspended or withdrawn before completion. The suspension or withdrawal often occurs in conjunction with an agreement by the investigated firm or country to cease the behavior in question or with an import quota agreement.

Those statutory minima date from the beginning of the current antidumping law in 1921. Some authors report that they originate from the practice of the Customs Service in customs valuations when it had insufficient data for accurately determining the numbers and when it feared that firms might juggle their books to reduce the values that the service determined.[1] One may debate whether this rationale was valid in 1921 before the Treasury Department (now the Department of Commerce) had the investigative staff and resources it currently has for AD/CVD cases, but the provision currently draws considerable criticism.

If one views the AD/CVD laws as protection against predatory pricing, the minima are clearly inappropriate. GS&A has nothing to do with predatory pricing, and if a firm makes any profit at all it is not engaging in predatory pricing. Assuming a would-be predator firm and its prey both have the same average costs, then the prey's profits will be positive whenever the predator's profits are positive (even if the latter are small). Obviously, the prey will never go broke and be driven from the market with positive profits. Indeed, the prey will have negative profits and be driven out of business only if it has higher average costs than the predator has. That case, however, represents the nor-

1. Michael Coursey, "Comment," in Richard Boltuck and Robert E. Litan, eds., *Down in the Dumps: Administration of the Unfair Trade Laws*, (Washington, D.C.: Brookings Institution, 1991), pp. 243-244; and Terence P. Stewart, "Administration of the Antidumping Law: A Different Perspective," pp. 288-330 in the same volume.

mal desired working of a competitive market--efficient firms driving out inefficient firms--and not predatory pricing.

Even if one views the AD/CVD laws as protection against unfair--but not necessarily predatory--imports, it is not clear what is unfair about low but positive profits and GS&A. In fact, low overhead is usually regarded as an indicator of efficiency and therefore desirable. Clearly, however, the statutory minima make the laws a more effective general source of protection.

Comparing Individual Export Prices with the Average Home-Market Price

When the Department of Commerce compares U.S. import prices with the foreign exporter's home-market prices, it compares individual import prices with the average home-market price. It then sets all negative dumping margins on individual imports to zero before calculating the average dumping margin.

For example, suppose that a foreign firm sold equal amounts of a product in the United States and its home country on three different dates during the investigation period--say, June 1, September 1, and November 30 (see Table 1). Suppose also that prices in both countries were the same on each date but increased over time--from $50 on June 1 to $100 on September 1 and to $150 on November 30. (Such an increase might result from heightened demand brought on by advertising, a shift from recession to boom, changing consumer fads, or many other causes.) Suppose finally that all of the prices covered production costs.

One would think that no dumping had occurred in this example, since prices cover costs and are the same in both countries. The methodology of the Department of Commerce would, however, find dumping. It would first average the prices in the home country to find an average home-market price of $100 (after conversion from foreign currency to dollars). Then DOC would compare each U.S. price with that average $100 price to determine if the sale in question was dumped. Thus, the June 1 sale would have a dumping margin of $50, the September 1 sale would have a margin of zero, and the November 30 sale would have a margin of negative $50. DOC then would set all negative dumping margins to zero (see the far right column of Table 1) and average the dumping margins. The result is the conclusion that the average dumping margin is $16.67. Dividing by the average U.S. price of $100 gives an average percentage dumping margin of 16.67 percent.

Table 1.
Calculating Average Dumping Margins Using the Commerce Department Methodology: An Example (In dollars)

Date	Home-Market Price	U.S. Price	Absolute Dumping Margin	Is the U.S. Sale Product Dumped?	Margin Used in Calculating Average
June 1, 1993	50	50	50	Yes	50
September 1, 1993	100	100	0	No	0
November 30, 1993	150	150	-50	No	0
Average Price and Dumping Margin	100	100	n.a.	n.a.	16.67

SOURCE: Congressional Budget Office.

NOTE: n.a. = not applicable.

In some cases, the results of DOC's methodology are peculiar and create incentives that are at cross purposes with the antidumping law.[2] Suppose that a foreign firm sold 1,000 units of a product at the prevailing market price of $100 in the United States and 1,000 units in its home market at the prevailing price there, which was the home-currency equivalent of $100. Then assume that during the period of DOC's investigation the prevailing market price in the firm's home market increased to $200, while the prevailing price in the United States rose to $175.

If the firm were again to sell 1,000 units each of the product in the United States and the home market at the new prevailing prices, it would be guilty of dumping in the United States. However, the $175 sales in the United States would not be the dumped sales. The average price in the home market would be $150--that is, [(1,000 × $100) + (1,000 × $200)] / 2,000. Thus, the $100 sales in the United States would be the ones dumped, by a margin of $50, and the $175 sales would not be dumped at all. The average dumping margin over all sales (calculated by DOC's methodology) would be $25. Expressed as a percentage of the average U.S. price of $137.50, the average dumping margin would be 18.2 percent.

To avoid dumping, the firm might try two approaches. The first would be to try raising its U.S. price beyond the prevailing U.S. price of $175 to the prevailing home-market price of $200. Even if it was able to sell the full 1,000 units at the higher price, however, the previous example has already shown that DOC's methodology would still find dumping--in this case, by a margin of 16.7 percent. Further, since $200 is above the prevailing U.S. market price, the firm probably could not sell the full 1,000 units at that price. If it was only able to sell 500 units, the dumping margin calculated by the DOC would be 25 percent, which is larger than the margin would be if the firm sold at the lower prevailing U.S. price of $175.[3]

The second approach the firm could take would be to discontinue sales in the United States--that is, to take the 1,000 units that would have been sold in the United States and instead try to sell them in the home market along with the 1,000 units that would have been sold there anyway. Doing so would increase the firm's profits since the $200 price in the home market is higher than the $175 price in the United States. Further, one would think such an action would eliminate any dumping. In fact, however, it would actually be likely to increase the dumping margin that the DOC calculates.

Assuming for the moment that the firm could sell the extra 1,000 units in its home market without lowering the price below $200, the average home-market price would be $166.67--that is, [(1,000 × $100) + (2,000 × $200)] / 3,000. Hence, the $100 sales in the United States would be dumped by $66.67. Expressed as a percentage of the average U.S. price, the average dumping margin would be 66.67 percent. The firm might have to lower the home-market price in order to sell the extra 1,000 units there. If so, that would lower the calculated dumping margin but would be unlikely to eliminate it.[4]

The firm in this example would find it difficult to avoid dumping. Further, the obvious things the firm might try in order to avoid dumping (raising its U.S. price to $200 or switching U.S. sales to its home) *might* actually increase the calculated margin. The firm therefore has an incentive not to do the obvious things to avoid dumping.

The Commerce Department evidently realized the bias in the procedure because it asked the Congress to amend the law to allow it to compare the U.S. average price with the foreign average price, rather than individual U.S. prices with the foreign average price. The Congress did, in fact, so amend the law in the Trade and Tariff Act of 1984. The amended law only allowed a comparison of average prices, however. It did not

2. This example is taken in large part from N. David Palmeter, "The Antidumping Law: A Legal and Administrative Nontariff Barrier," in Boltuck and Litan, eds., *Down in the Dumps*, p. 72.

3. The calculation is as follows: the average foreign price is $150 just as before. Hence, the $100 sales in the United States are dumped by $50 and the $200 sales are not dumped. The average absolute dumping margin is therefore [(1,000 × $50) + (500 × $0)] / 1,500 = $33.33. The average U.S. price is [(1,000 × $100) + (500 × $200)] / 1,500 = $133.33. Thus, the average percentage dumping margin is (33.33/133.33) × 100 = 25 percent.

4. If the firm sells all 1,000 units in its home market, the home-market price would have to drop all of the way back to the original $100 in order to eliminate the margin. The reason is that the sales that already occurred in the United States were at $100 and would be considered dumped if the average price of the 3,000 total units in the home market was higher than $100. Alternatively, the firm might sell 500 of the units in the United States and 500 in its home market. As the first example above has shown, however, even if this raised the U.S. price and lowered the home-market price to the point that the two were equal, the Commerce Department's methodology would still find dumping.

require such a comparison, and the Commerce Department has not changed its procedure.

When criticized for the procedure in the Uruguay Round, the U.S. delegation replied that is was necessary to address the problem of targeting. Targeting refers to the practice of dumping products to one or a few customers at a time in order to take the customers away from domestic U.S. producers in piecemeal fashion. That practice is also referred to as "spot dumping" or "rifle-shot dumping."

If the purpose of antidumping legislation is to prevent predatory pricing (or any other pricing behavior that might be a net detriment to the U.S. economy), there is no reason to object to any targeting that a comparison of the average price with the average home-market price would not detect. A successful predatory pricing campaign could not possibly be carried out by such targeting. If the average U.S. price is not lower than the average foreign price, then the fact that dumping is occurring with one or a few customers must mean that the import price is abnormally high with other customers. The U.S. firm should be able to take away those customers from the foreign exporter at the same time that the foreign exporter takes away the other customers by dumping.

If one views the purpose of antidumping law as preventing unfair--but not necessarily predatory--imports, one might be concerned about other negative effects. If targeting occurred repeatedly in one part of the U.S. market after another, it would have frictional costs as firms continually had to expand and contract in various parts of the market. The firm doing the targeting, however, would incur those costs as well as the firm or industry whose customers are targeted, and it would have little if anything to gain from engaging in such behavior.

Furthermore, the United States has not judged such costs--or any other costs of targeting--to be sufficient to merit outlawing or otherwise objecting to U.S. firms engaging in the practice within the United States. U.S. firms target each others' customers without objection (witness, for example, the pricing behavior of U.S. airlines). It is usually characterized as "vigorous competition," which is thought to be good. Why foreign firms should be treated any differently is hard to fathom, unless the reason is to provide a more effective general source of protection for U.S. industries.

Eliminating Below-Cost Sales in the Home-Market Price Calculation

When DOC computes the average home-market price of a foreign exporter, U.S. law requires it to delete sales below cost if they are "made over an extended period of time and in substantial quantities." As Chapter 3 discussed, this procedure effectively expands the definition of dumping to include selling below cost in the U.S. market, even when U.S. firms are doing so and the "dumping" firm is doing the same in its home market. The procedure does more than that, however. It expands dumping to include some cases in which import sales in the United States are neither below cost nor below the average home-market price of the foreign exporter.

To see why, suppose that during the period of investigation, one-third of a foreign exporter's sales in its home market are at a price of $75, one-third are at $100, and one-third at $125, and that sales at all three prices are made throughout the period of investigation. Assume further that the cost of production is $100 per unit and that all sales in the United States are at a price of $100. In that case, the sales in the United States are not below the average price in the home market, and they are not below cost. Thus, ordinarily, one would think the goods are not being dumped.

Deleting sales below cost in the home market, however, would result in a finding of dumping in that case. The sales at $75 would be deleted. Half of the remaining home-market sales are at $100 and half at $125. Thus, the calculated average home-market price would be $112.50. The U.S. price of $100 is below that, so the products in the United States would be found to be dumped.

The current methodology is to delete sales below cost when they are more than 10 percent of home-market sales in the case of industrial products (50 percent

in the case of fresh agricultural products) and occur in three of the six months of the investigation period. Recessions and other legitimate reasons for selling below cost could easily transgress those limits. The problem relating to recessions could be alleviated only if sales below average variable cost were deleted rather than all sales below average total cost. Current methodology, however, as dictated by law deletes all sales below average total cost. From the perspective of the antidumping and countervailing-duty laws as protection against unfair trade, that procedure is clearly biased against foreign firms and U.S. consumers of foreign products. It does, however, improve the functioning of the laws as a general source of protection.

Ensuring Comparability of Foreign and Domestic Prices

In comparing the U.S. price with the home-market price in an antidumping investigation, the U.S. policy is to take the first arm's-length sale in each country--that is, the first sale to a firm or person not owned by the manufacturer, whether that sale is at the level of the manufacturer, the wholesaler, or the retailer--and then make whatever adjustments are required to make the sale prices comparable. Sales between the manufacturer and a wholly owned wholesaler are not considered acceptable because they are subject to manipulation for tax or other purposes. Examples of deductions made to ensure comparability are tariffs and transportation expenses deducted from the U.S. price.

Problems arise in the adjustments DOC makes to ensure that the prices compared are at the same level of sale--that is, factory level with factory level as opposed to factory level with wholesale or retail level. When a foreign manufacturer under investigation sells its product to a wholly owned subsidiary in the United States, which then acts as distributor, DOC takes the price at which the distributor sells to a third party and subtracts from it the direct and indirect selling expenses of the distributor but not its profits. To obtain the home-market price for comparison, DOC takes the first arm's-length sale and subtracts from it the direct and indirect selling expenses incurred in the home market but not the profits. That calculation is referred to as the "exporter's-sale-price" methodology.

On the surface, the methodology seems correct and fair: direct and indirect selling expenses are deducted from both the U.S. import price and the exporter's home-market price, and profits are deducted from neither, so the two are treated the same. The procedure poses problems, however.

First, DOC caps the deduction from the home-market price for indirect selling expenses at the dollar amount (or foreign-currency equivalent of the dollar amount) of the deduction for such expenses made in the U.S. import price. Especially for Japanese firms, which often face high home-market selling expenses because of an inefficient distribution system, the cap biases DOC's finding in favor of dumping.

A second problem arises because profits are not deducted from either the U.S. price or the foreign price. There is good reason for not deducting these profits: they are subject to manipulation by the foreign producer and could therefore be used to hide dumping. Thus, the firm could sell to its wholly owned subsidiary in its home market at an artificially low price. The subsidiary would then sell to the public at the normal price and make artificially high profits. The producer owns the subsidiary, so the profits of the subsidiary belong to the producer. The producer does not care whether it makes its revenue through prices charged to the subsidiary or through profits of the subsidiary.

If DOC was to deduct profits of wholly owned distributors from the domestic and foreign prices before comparing the prices, the artificially high profits in the producer's home market would result in artificially low prices to compare with the U.S. price. Similarly, the foreign producer could sell to its U.S. subsidiary at artificially high prices, causing the wholly owned distributor in the United States to have artificially low profits that would be subtracted from the U.S. price.

Although not deducting profits eliminates that problem, it creates another one. Cases arise in which an antidumping duty is assessed, and the U.S. distributor of the foreign producer simply absorbs all or most of the duty and continues to sell the product in the United States at a price below the producer's home-market price. The foreign producer cannot provide payments to the U.S. distributor because DOC would subtract those from the U.S. price before making the comparison with the home-market price. If the foreign

producer wholly owns the distributor, however, the producer can absorb the cost in the form of lower profits of the U.S. distributor. In such a case, the true margin of dumping would be twice the margin calculated by DOC.

Some people have proposed correcting this problem by treating the antidumping duty as a cost that must be subtracted from the U.S. price before comparing it with the foreign home-market price. That procedure, however, would have problems of its own. The duty owed is calculated from the price charged and thus cannot be determined until after the sale has been made. Hence, the foreign firm would have to predict the duty ahead of time and raise its price by the amount it predicts the duty will be. Alternatively, the rate of duty determined in the last previous investigation or review could be used as the cost. In that case, however, the only way the firm could ever cease dumping and thereby get rid of the dumping order would be to charge a price in the United States that is actually higher than its home-market price by the amount of the dumping duty.

Another problem occurs with the procedure used when the foreign firm sells directly to an independent distributor in the United States rather than to a wholly owned subsidiary. In that procedure, DOC compares the U.S. import price with the first arm's-length sale price in the exporter's home market. The two prices are adjusted for differences in direct selling expenses but not indirect selling expenses. If the first arm's-length sale in the home market is at the same level as the U.S. import sale, the procedure is fair and unbiased. If it is not at the same level, however, the procedure is biased one way or the other.

For example, using the import price means that the direct and indirect selling expenses and the profits of the distributor in the United States are excluded. If the distributor in the exporter's home market is wholly owned, however, the selling expenses and related profits are not deducted. That difference creates a bias in favor of a finding of dumping. The first arm's-length sale in the exporter's home market could be at a higher level than the export sale to the United States. In that case, the bias would go the other way, but that situation is probably less likely than the other case.

Providing Data for Investigations

To carry out its AD/CVD investigations, the Commerce Department needs data from the firms being investigated about their costs, subsidies, and possibly other factors. Firms fearful of having antidumping or countervailing duties imposed on their products might not wish to turn over information that could assist DOC in imposing such duties. U.S. law and police powers cannot force firms in foreign countries to hand the information over, so the law provides that DOC may use the "best information available" (BIA) whenever a firm does not provide needed information. In practice, BIA is the information supplied by the domestic industry petitioning for protection, and one would expect such information to be biased in favor of finding large dumping or subsidy margins. Hence, firms under investigation have an incentive to turn over the needed information.

The possible use of best information available is a fairly strong stick to encourage foreign firms to cooperate. One study examined 224 final dumping determinations by the Department of Commerce.[5] It found that the average final dumping margin in the 36 cases in which BIA was used was 66.7 percent, whereas the average in the 188 cases in which BIA was not used was 27.9 percent.

One might argue that firms with large true dumping or subsidy margins would be more likely not to cooperate than firms with small margins--that being the reason for those numbers. Indeed, sometimes domestic industries have erroneous information regarding the costs of foreign firms and therefore are unaware that the actual dumping margin in a given case is larger than the domestic industry is charging. In general, however, the incentive is for the domestic industry to exaggerate the dumping margin when providing BIA, so even firms with large margins have an incentive to cooperate. Thus, the difference in the average margins is likely to be the result in large part of BIA being biased.

5. Robert E. Baldwin and Michael O. Moore, "Political Aspects of the Administration of the Trade Remedy Laws," in Boltuck and Litan, eds., *Down in the Dumps*, pp. 269-270.

None of this is unfair in and of itself. DOC needs data from the firms it investigates, and some kind of stick such as BIA is needed as an incentive for the firms to be forthcoming. A problem has arisen, however, with the use of BIA--namely, firms find it difficult and expensive to provide the data that DOC needs in the form that the department wants it and within the deadlines set by DOC.

Numerous authors have discussed the problem. Tracy Murray has described the plight of the investigated firm as follows:

> Consider the problem facing the foreign respondent who receives a request for information from the DOC. It arrives in the form of a questionnaire, some 100 pages long, in English, requesting specific accounting data on individual sales to the United States, data needed to adjust arm's-length market prices to net ex-factory prices (that is, packaging costs, shipping costs, selling costs, distributor and other middleman costs, tariffs in the United States, distribution costs in the United States, and any costs of adding value in the United States), and a host of other details (especially if the foreign market value needs to be constructed). There must be enough information for the DOC to investigate nearly every U.S. sale (that is, every transaction) for a period of six months. All this information must be identified, retrieved, recorded, and then transmitted to the DOC in English on hard copy and in a computer-readable format within the short deadline stipulated under the U.S. antidumping statutes.[6]

Responses to the first portions of the request for data typically must be made in 30 calendar days, sometimes within two weeks.[7] If the firm fails to respond fast enough, BIA is used, biasing the determination against the firm. DOC maintains that it is generous with extensions of deadlines when needed. Critics say otherwise, however, and DOC is tightly constrained by the legal deadlines for its determinations.

The burden on domestic firms is considerably less. The Congress has required DOC and the International Trade Commission (ITC) to assist domestic firms filing petitions for antidumping and countervailing-duty relief. The amount of information required of domestic firms is smaller than that required of foreign firms, and the ITC does not require that the data be in computer-readable format because of the burden that would place on small firms.[8]

Calculating the Exchange Rate

Calculating a dumping margin requires comparing the U.S. price of a good, which is denominated in dollars, with the foreign price or constructed value, which is denominated in the foreign currency. To make the comparison, the prices (or price and cost) must be converted to the same currency, which requires using an exchange rate. Since exchange rates change over time, the question arises as to what exchange rate to use.

DOC converts foreign prices and costs into U.S. dollars using the exchange rate for the quarter in question obtained from the Bureau of the Customs, which in turn obtains it from the Federal Reserve Bank of New York. That rate is used even if the actual market exchange rate on the date of a sale during the quarter is different from the quarterly rate, unless the daily rate differs from the quarterly rate by more than 5 percent. In that case, the actual daily rate is used in place of the quarterly rate.

The policy can create errors in the calculated dumping margin as large as 5 percent, and the results can have peculiar effects, as shown by the following example.[9] Suppose the rate for the quarter is 100. If the rates on three consecutive days during the quarter are 104, 106, and 104, DOC's methodology would use 100, 106, and 100, respectively, for those days. If the actual daily rates were 96, 104, and 96, however, DOC's methodology would use 100, 100, and 100.

6. Tracy Murray, "The Administration of the Antidumping Duty Law by the Department of Commerce," in Boltuck and Litan, eds., *Down in the Dumps*, pp. 34-35.

7. Palmeter, "The Antidumping Law," p. 67.

8. Baldwin and Moore, "Political Aspects of the Administration of the Trade Remedy Laws," pp. 268-269.

9. Palmeter, "The Antidumping Law," p. 87.