

Antidumping and Countervailing Duty Laws



Joseph E. Pattison

Antidumping and Countervailing Duty Laws

by
Joseph E. Pattison

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PUBLISHER'S NOTE

Clark Boardman Callaghan's *International Business & Law Series* is the response to the perceived need for an integrated and comprehensive reference library of writings on international business and law. The Series begins at a time when the world economy is in a period of rapid transition, and when United States dominance in international trade has been seriously eroded.

Changing legal implications of international trade and transnational negotiations have obliged lawyers, in the United States and in other jurisdictions, to become aware of those effects in practice. The Clark Boardman Callaghan *International Business & Law Series* is designed to provide accurate and authoritative information to lawyers who must advise clients in international transactions. Often, a detailed knowledge of the national laws which may affect the international transaction must be obtained, a complex process involving interpretation of multiple legal disciplines.

Recent and important changes in international trade and customs laws of the United States signaled this as an opportune time to commence the *International Business & Law Series*. As a result of the passage of the Trade Act of 1974, the Customs Procedural Reform and Simplification Act of 1978, the Trade Agreements Act of 1979, the Customs Courts Act of 1980, and the Trade and Tariff Act of 1984, more changes in customs and international trade law were enacted than at any time in the past forty years. The establishment of the United States Court of International Trade is clearly attributable to the increased importance of international business transactions not only in the United States, but throughout the world as well.

Because of the unprecedented trade deficit the United States is experiencing, import control laws, such as antidumping and countervailing duties law, have become an important means of protecting U.S. industries. The strength of the U.S. dollar has induced foreign companies to dump many products on the U.S. market. The international businessman and international lawyer, either representing the domestic company or the foreign industry, must become familiar with these important import relief laws.

Antidumping and Countervailing Duty Laws offers practical

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guidance and provides the necessary research aid to the international lawyer involved in this significant and rapidly expanding area of the law.

Clark Boardman Callaghan

PREFACE

As a result of the rapidly increasing internationalization of the world economy and the growing sophistication of its participants, antidumping and countervailing duty laws have achieved a position of vital importance in the regime of trade laws. To date, however, practitioners have been frustrated by the lack of any comprehensive treatise focused exclusively upon those laws. This volume has been designed to fill that vacuum.

The author has sought to provide to the less experienced reader a coherent explanation of the antidumping and countervailing duties laws and to present to the experienced practitioner the kind of detailed resource material and analysis that is needed for successful practice in this field. This book will be a valuable research tool for lawyers and others trying to cope with the complex issues which arise with increasing frequency under antidumping and countervailing duties laws.

A vitally important aspect of this book, due to the continually evolving nature of the antidumping and countervailing duty regime, is that it will be updated regularly with supplemental material setting forth and discussing recent developments. These revisions will maintain the value of this book throughout the administrative refinements and legislative amendments which seem inevitable due to the politicized framework of trade policy.

The author wishes to acknowledge the valuable assistance of Michael Joshua, Rose Dodson, Dawne Gordon, and Debra Kurz, all of whom provided important technical support in the production of this work. Additionally, the author would like to extend his gratitude to supervising editor Fred Barstein of Clark Boardman, who provided valuable suggestions and assistance throughout this project, and most of all, to Barbara Hagan, whose infinite patience and steadfast support made this work possible.

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Philadelphia, PA

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