

5. Experience has also shown that in a large and diversified country like the United States, regional considerations may be important. Even as we recognize regional pricing under the Robinson-Patman Act, we should also recognize regional areas for antidumping injury cases.

6. Special consideration should be given to shipments from a parent company to a foreign subsidiary. If a product is shipped to a subsidiary and further upgraded by 25 percent or more, there should be the presumption of no injury, since the product does not enter the channels of trade but rather serves as a raw material.

7. Special consideration should be given to "coproducer" transactions. In many instances, coproducer sales will be made at special prices. Since the coproducer buyer is not interested in destroying his own price structure, such a sale, even though technically "dumping," will not tend to injure the market of the country of destination.

It is recognized that the rules of procedure and the ways in which they are applied can greatly influence the effectiveness of any regulation. It would seem that the following principles should be incorporated into any antidumping law, (1) a chance for interested parties to be heard; (2) prompt disposition of cases; (3) safeguards for confidentiality of data; and (4) a requirement that complainant and defendant supply necessary data promptly.

Failure of the former to comply within a specified time would dismiss the case, and of the latter would automatically constitute a finding of dumping.

In the matter of procedures, it is important that the findings be prompt and not delayed, and that they be as specific as possible with a minimum of judgmental leeway. Only if both the regulations and procedures are specific and clear can either the exporter or domestic industry judge what is dumping and what is not.