the Atlantic area that does not require that dumped goods cause or threaten injury to a domestic industry as a condition for imposing antidumping duties.[74] While goods may be exempted and the duty itself may not exceed 50 per cent of the "fair market value," an antidumping duty, equal to the difference between export price and dutiable value, is automatically imposed. Although Canada does not maintain separate customs records on antidumping actions, it is estimated that around $2 million of antidumping duties are levied annually.[75] About two-thirds of these duties are levied against imports from the United States. However, the trade-inhibiting effect of antidumping restrictions is far more important than the incidence of duties actually imposed.

U.S. antidumping legislation and regulations are the most specific and detailed of any of the Atlantic area countries. They have also been subject to the most complaints. In most instances, the complaints have concerned administrative practices and the time consumed in investigations rather than the imposition of antidumping duties.

U.S. antidumping legislation conforms with the GATT rules that both price discrimination and injury must be present before antidumping duties may be imposed.[76] Since 1954, the Treasury Department has made the determinations with respect to price discrimination or sales at less than "fair value," and if price discrimination is found, the Tariff Commission

[74] Although Canadian antidumping legislation is inconsistent with GATT provisions, it is not in legal violation of the GATT because it predates Canada's obligations under the GATT. For a discussion of this point, see below, p. 307.

[75] According to a study of the Canadian-American Committee, "in 1959 and 1960, $1.8 million and $1.6 million, respectively, were paid in dumping duties, which result from arbitrary valuations on goods of a class or kind made in Canada." However, it is not possible to estimate the number of cases, the products, or the value of trade involved. See Masson and English, *Invisible Trade Barriers*, p. 59.

[76] Unlike most countries, the United States has separate legislation relating to antidumping duties and to countervailing duties to offset the subsidization of exports. There is no injury requirement in Section 303 of the U.S. tariff act relating to countervailing duties. But countervailing duties have been imposed infrequently and, when imposed, have usually applied to agricultural products. However, the desire to avoid the imposition of countervailing duties on imports of automobile parts from Canada led to the 1965 U.S.–Canadian automotive agreement. For a list of the products to which countervailing duties apply, see U.S. Treasury, *Exporting to the United States*, pp. 16–17.