

postpone the July 1 effective date for the Code. A summary of the points that will be covered in support of this position is as follows:

I. Introduction—The Cement Industry's concern with the unfair trade practice of dumping. (Page 3.)

II. The Cement Industry's position on the International Antidumping Code is unrelated to the Kennedy Round concessions or any pending quota proposals, and is concerned only with the unfair trade practice of dumping. (Page 4.)

III. Ways and Means Committee action on the International Antidumping Code is urgently required before July 1, 1968. (Page 5.)

IV. The implementation of the Antidumping Code without Congressional approval will constitute a dangerous precedent of usurpation of Congressional authority by the Executive. (Page 7.)

V. As concluded by the Tariff Commission, there is serious and inevitable conflict between the International Antidumping Code and the Antidumping Act of 1921. (Page 9.)

VI. The International Antidumping Code will weaken and emasculate the Antidumping Act of 1921. (Page 14.)

VII. The Cement Industry would not be able to obtain any relief from dumping under the International Antidumping Code. (Page 20.)

VIII. There is a serious prospect of administrative chaos in the administration of the International Antidumping Code. (Page 25.)

IX. Canada, a key signatory, cannot provide reciprocal concessions under the International Antidumping Code by the July 1 effective date. (Page 27.)

I. Introduction—The Cement Industry's concern with the unfair trade practice of dumping

The Cement Industry has been vitally interested for the past ten years in United States policy concerning the unfair trade practice of dumping. The Cement Industry has had substantial experience under the Antidumping Act of 1921. As set forth in Appendix B, the Cement Industry during the period 1958-1965 was forced to file nineteen complaints under the Antidumping Act. The dumping during this period was on a continuing basis, with importers shifting from country to country as the complaints were filed against their sources of supply. The formal proceedings involved cement imports from fifteen different nations. That the industry suffered serious injury was borne out by the antidumping proceedings, in which the Treasury Department found reason to suspect dumping in fourteen cases. A number of these proceedings were discontinued by Treasury on assurances by foreign exporters that there would be no further dumping. In four cases the Tariff Commission made affirmative determinations of injury and special dumping duties were imposed on dumped cement imports from four countries (Sweden, Belgium, Portugal and the Dominican Republic), which continue in effect.

Because of the injury sustained from dumping, and because of its inability to obtain effective relief under the Antidumping Act of 1921, the industry has since 1963 supported legislation to amend the Act. The primary purpose of this legislation is to provide meaningful relief to domestic industries injured by dumping. H.R. 1075 and other identical bills pending before your Committee provide such relief. The Cement Industry wishes to make clear to the Committee that it continues to support this legislation fully, and it intends to file a separate statement for the record in support.

II. The Cement Industry's position on the International Antidumping Code is unrelated to the Kennedy Round concessions or any pending quota proposals, and is concerned only with the unfair trade practice of dumping

The Cement Industry's position in the trade area is concerned only with the unfair trade practice of dumping and has no impact on or relation to the Kennedy Round tariff concessions. The Code was negotiated separately and is in no way tied to the Kennedy Round agreements. Although cement tariffs will be virtually eliminated pursuant to the Kennedy Round,¹ the industry does not object to the Geneva results. On the contrary, the industry's only concern is that imports that arrive in this country are legitimate, and are not sold unfairly at dumped prices. This has been the policy of the United States Congress

¹ The duties on Gray Portland Cement and Gray Clinker were completely eliminated. The duties on White Portland Cement and White Clinker were reduced by the maximum of 50 percent.