[Confidential Information]

<u>International Antidumping Code</u>:

6 (c) All information which is by nature <u>confidential</u> (for example, because its disclosure would be of significant <u>competitive advantage</u> to a competitor or because its disclosure would have a significantly <u>adverse effect</u> upon a <u>person supplying the information</u> or upon a person <u>from whom</u> he <u>acquired</u> the information) or which is <u>provided on a confidential basis</u> by parties to an antidumping investigation, shall be treated as <u>strictly confidential</u> by the authorities concerned who shall not reveal it, without specific permission of the party submitting such information.

<u>U.S. Treasury Regulations</u>:

Section 14.6 a (c) sets out <u>standards</u> for determining whether information will be regarded as confidential. This ordinarily includes situations where disclosure would be of significant competitive advantage to a competitor or would have a significantly adverse effect upon a person supplying the information or upon a person from whom he acquired the information. The final decision rests with the person supplying the information.

Section 14.6 a (b) sets out the provisions for strict confidentiality and the control of the party submitting the information.

<u>S. 1726 (90th Congress)</u>:

Parties involved should know the evidence used against them. The provision for "reasoned opinions" contained in Section: 6 [212(c)(d)(e)(i)] usually will help accomplish this. While Treasury and the Tariff Commission would retain discretion to refuse publication of information which would <u>impede</u> them from <u>obtaining similar information</u> in the future, they would be <u>required</u> to prepare a <u>supplemental statement</u> of the <u>information withheld</u> for the use of the interested parties and a reviewing court to enable them to analyze the agency findings. Section: 6 [212(c) and (i)].

An importer would be provided with the right to review date in Tariff Commission injury investigation similar to that in proposed 1963 Antidumping Act Amendment for domestic complainant review in Treasury dumping proceeding. In addition, right to review data in the case at Treasury level would be limited to <u>exclude the costs of manufacture</u> in <u>justification of quantity discounts</u>, as well as <u>costs</u> used in determining "<u>constructed value</u>." Section: 6 [212(c) and (i)].