

Article 9
Duration of Dumping
Duties

International Antidumping Code:

9 (a) An antidumping duty shall remain in force only as long as it is necessary in order to counteract dumping which is causing injury.

9 (b) The authorities concerned shall review the need for the continued imposition of the duty, where warranted, on their own initiative or if interested suppliers or importers of the product so request and submit information substantiating the need for review.

U.S. Treasury Regulations:

Section 14.12 provides that to modify or revoke a finding of dumping plus injury, detailed information must be submitted in writing showing any change in circumstances or practice which has prevailed for a substantial period of time, or other reasons, which the applicant believes will establish that the basis for the finding no longer exists. Notice of intent to modify or revoke a finding will be published in the Federal Register and comments received from interested parties within 30 days will be given consideration.

Comment:

The use of the present tense, "is causing injury" would require lifting an antidumping duty finding as soon as the dumped imports have entered the commerce of the United States in spite of any threatened injury or the possibility that another dumped shipment may arrive imminently.