

**THE IMPORTANCE OF TRADE REMEDIES TO THE
U.S. TRADE RELATIONSHIP WITH CHINA**

**CHALLENGES FACING THE USE OF ANTIDUMPING LAW:
A CRITICAL PERIOD
FOR THE ADMINISTRATION
AND CONGRESSIONAL ACTION**

**A REPORT TO THE
U.S.-CHINA ECONOMIC AND SECURITY REVIEW COMMISSION**

BY THE TRADE LAWYERS ADVISORY GROUP

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EXECUTIVE SUMMARY

THE TRADE RELATIONSHIP BETWEEN THE U.S. AND CHINA IS IMPORTANT, BUT MUST BE BALANCED BY THE USE OF LEGITIMATE TRADE REMEDIES TO ADDRESS TRADE DISTORTIONS.

The U.S.-China trade relationship has grown to be an important one for both countries over the past 25 years. China is now the U.S.' third largest trading partner (after Canada and Mexico) and the U.S. is China's second largest trading partner overall.

The most significant fact about U.S.-China trade, however, is that it is seriously out of balance and not sustainable at its present pace. The U.S. trade deficit with China has increased from \$600 million in 1985 to \$162 billion in 2004. While U.S. exports to China have increased in recent years, the U.S. export base is much smaller than imports from China so that growth in U.S. exports to China is dwarfed by the growth in U.S. imports from China.

The trade deficit with China is the result, in part, of various factors that are not market-driven, such as China's WTO compliance deficiencies, undervalued currency, and rampant infringement of intellectual property rights, among other reasons. The Chinese economy is still characterized to a significant degree by continued state control of economic factors, which result in false market signals and distorted trade flows.

In particular, China's undervalued currency encourages undervalued Chinese exports to the U.S. and discourages U.S. exports because U.S. exports are artificially overvalued. As a result, undervalued Chinese exports have been highly disruptive to the U.S. and to other countries as well, as evidenced by trade remedy statistics. In the past 10 years, China has been the number one target country of antidumping investigations brought by other countries.

Thus, it is important that the U.S. and other countries maintain the right to protect their economic interests consistent with WTO rules, including the right to use trade remedies such as antidumping laws. U.S. manufacturers need strong and effective trade remedies to address the trade distortions caused by undervalued Chinese exports and state control in China and to prevent the loss of jobs and industries due to such distortions.

EXISTING CHALLENGES TO EFFECTIVE TRADE REMEDIES VERSUS CHINESE DUMPING.

There are three major challenges to the effectiveness of trade remedy laws, particularly antidumping laws:

1. The erosion, in the WTO dispute settlement process, of the right to use trade remedies, and attacks respecting U.S. trade remedy practices in particular.
2. The ongoing Rules negotiations in the Doha Round, which are being used by many countries as an opportunity to attack and weaken trade remedies, in particular antidumping laws.

3. Practices developed by the U.S. Commerce Department (International Trade Administration) that have created disparity and uncertainty in the application of the antidumping law to non-market economy countries, such as China.

Overreaching by WTO Dispute Settlement Bodies.

The U.S. was a principal negotiator in the Uruguay Round and agreed to binding dispute settlement on the condition that obligations not otherwise agreed to would not be created by the dispute settlement process. In addition, following the Uruguay Round, the U.S. amended its trade remedy laws to be fully consistent with WTO obligations and believed that the Antidumping Agreement's special standard of review would preclude panels from second-guessing U.S. antidumping determinations and from rewriting the Antidumping Agreement under the guise of legal interpretation.

Nevertheless, over the last ten years, there have been a host of losses in WTO dispute settlement actions in which covered agreements have been interpreted in a manner that, in the view of many, has created new obligations for the U.S. and other WTO Members. This problem of "overreaching" by WTO dispute settlement bodies has been recognized and criticized by Congress and the Administration, other WTO Members, and legal commentators.

- In the Trade Act of 2002, Congress explicitly made correction of the problem a U.S. trade negotiating objective and called for an Executive Branch strategy report in December 2002 to address the issue of overreaching.
- In its report to Congress, the Administration recognized that "aspects of several recent reports by WTO panels and the Appellate Body have departed from" the clear requirements to "ground their analysis firmly in the agreement text and accept reasonable, permissible interpretations of the WTO agreements by the Members."
- In DSB meetings, the U.S. has objected to the problem of overreaching by WTO panels and the Appellate Body.
- Many other WTO Members, including Mexico, India, Chile, Argentina, Pakistan, Costa Rica, and Malaysia have objected to the problem of "overreaching" by WTO dispute settlement bodies.
- Many legal commentators have noted that the creation of implied obligations by panels and the Appellate Body has become a systemic problem of WTO dispute settlement.

In the context of the Doha Rules negotiations, the U.S. has made proposals aimed at modifying specific WTO agreements (*e.g.*, Antidumping; Subsidies and Countervailing Measures; Safeguards) in order to address aspects of adverse WTO panel or Appellate Body decisions where the panel or AB overreached.

While the initial U.S. DSU proposals have raised important systemic issues, and the Rules proposals have addressed specific problems created by WTO panel or AB decisions, the U.S. needs to submit follow-up proposals and to intensify its efforts to achieve the Congressionally-mandated negotiating objectives regarding dispute settlement.

The Doha Round Negotiations on Rules.

The Doha Ministerial Declaration mandated “negotiations aimed at clarifying and improving disciplines” under the Antidumping Agreement (AD) and the Agreement on Subsidies and Countervailing Measures (SCM), “while preserving the basic concepts, principles and effectiveness of these Agreements.”

In the Trade Act of 2002, Congress established as principal U.S. negotiating objectives the promotion of rigorous enforcement of trade remedy laws and the prevention of the lessening of the effectiveness of such laws.

To date, there have been 178 submissions in the Doha negotiations on Rules, the majority of which have not sought to “clarify” and “improve” disciplines but have actually sought to weaken the AD and SCM agreements.

To date, the U.S. has made a number of beneficial and useful submissions in the Rules negotiations which have explained the purpose of trade remedies, questioned various proposals made by other Members, and proposed changes that would enhance the Agreements’ effectiveness.

However, much more remains to be done to ensure that the U.S. achieves Congress’ stated negotiating objectives in the Rules negotiations. Time is critical. The U.S. still needs to present many second papers to follow-up and flesh out its initial submissions, to respond to submissions of other Members, and to put forward additional papers to ensure that the U.S. negotiating objectives are met.

Creation of Lack of Predictability by ITA Practices in NME Cases.

Another major challenge to the effectiveness of the antidumping remedy particularly regarding China is the lack of predictability in non-market economy (NME) cases administered by the International Trade Administration (ITA).

Under existing practice, ITA employs a number of methodologies or analytical approaches in NME cases that can artificially reduce the margin of dumping in favor of importers and against the interests of domestic producers. Over time, due to such practices and methodologies, a marked disparity and imbalance between the margins calculated in market economy cases and non-market economy cases has become evident.

While there is a level of predictability in market economy cases, non-market economy cases are characteristically unpredictable. Application of ITA’s practices have created systemic biases and led to a bipolar distribution of margins in NME cases, that is, ITA’s NME methodologies

commonly result in AD margins for individually-investigated companies that are either extremely high or extremely low.

Many of ITA's practices and methodologies in NME cases that contribute to imbalanced and unpredictable results are not required by statute, and can be modified by ITA.

STEPS THAT NEED TO BE TAKEN.

In the Doha Round, it is critical that the U.S. meet the trade negotiating objectives outlined by Congress in the Trade Act of 2002 with respect to redressing the overreaching of WTO dispute settlement bodies, preserving and improving the effectiveness of trade remedy laws, and addressing the prejudicial impact of border tax treatment.

In each of these areas, little progress has been achieved to date and the U.S. is behind in presenting adequate papers at the Doha Rules negotiations.

Time is of the essence. The U.S. needs to make significant progress in pushing forward Congress' trade negotiating objectives before the Hong Kong Ministerial in December 2005.

- The Administration needs to aggressively step up its Doha Rules and DSU negotiation efforts by (1) fleshing out its initial submissions, (2) expanding the range of issues already addressed by presenting additional papers on new issues, and (3) adequately addressing and responding to the issues raised by other Members' proposals.
- Congress should work with the Administration to push forward these issues and support achievement of its trade negotiating objectives in the Doha negotiations.
- In addition, with respect to the current lack of predictability in NME antidumping proceedings, ITA should reexamine and reevaluate its NME antidumping practices in order to ensure more predictable results.

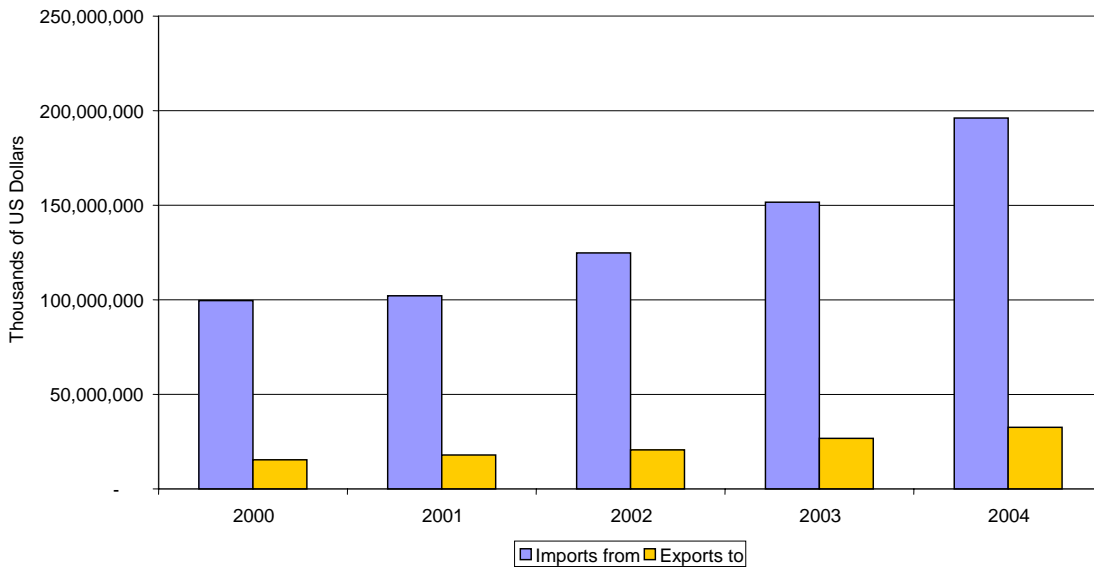
The U.S. needs successful outcomes to the Rules and DSU negotiations in the Doha Round. They are important not only to the continued use and efficacy of the trade remedy laws generally but they are also critical to maintaining usable, adequate, and effective trade remedies in order to address the challenges posed by China and to achieving a fair and balanced trade relationship with China in the future.

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I. THE TRADE RELATIONSHIP BETWEEN THE U.S. AND CHINA IS IMPORTANT, BUT MUST BE BALANCED BY THE USE OF LEGITIMATE TRADE REMEDIES TO ADDRESS TRADE DISTORTIONS.

The U.S.-China trade relationship has grown to be an important one for both countries over the past 25 years. China is now the U.S.' third largest trading partner (after Canada and Mexico) and the U.S. is China's second largest trading partner overall. The most significant fact about U.S.-China trade, however, is that it is seriously out of balance. From 1985 to 2004, the U.S. trade deficit with China has increased from \$600 million in 1985 to \$162 billion in 2004. Although U.S. exports to China have increased in recent years, the U.S. export base is much smaller than imports from China. This means that growth in U.S. exports to China have been dwarfed by the growth in U.S. imports from China, as shown by the chart below.

U.S. Trade with China

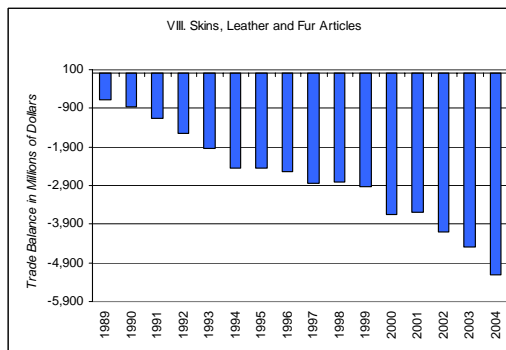
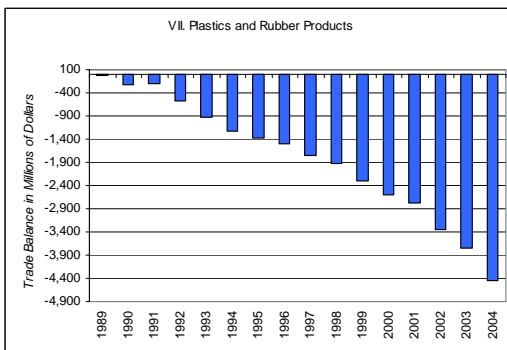
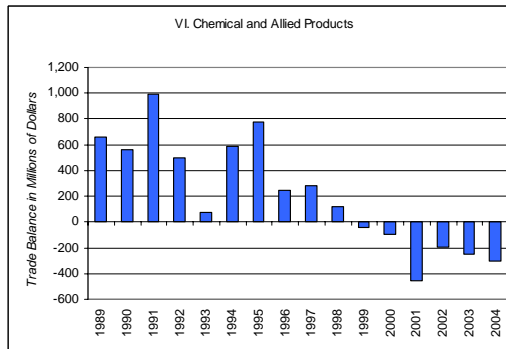
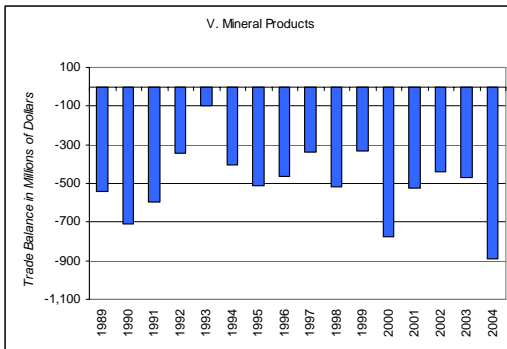
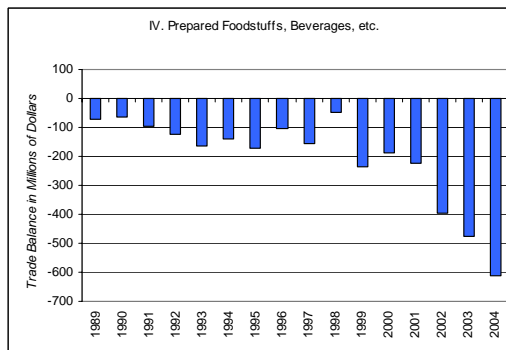
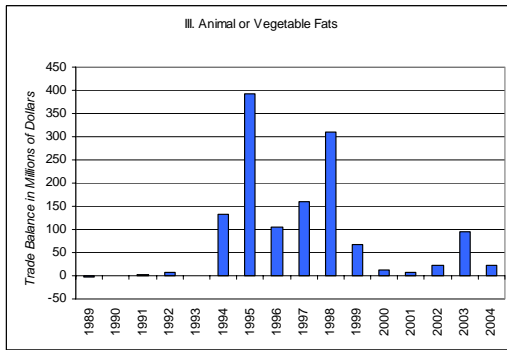
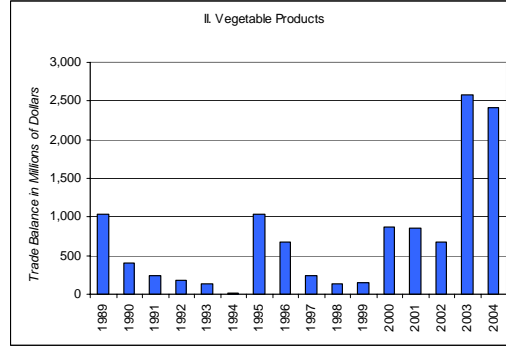
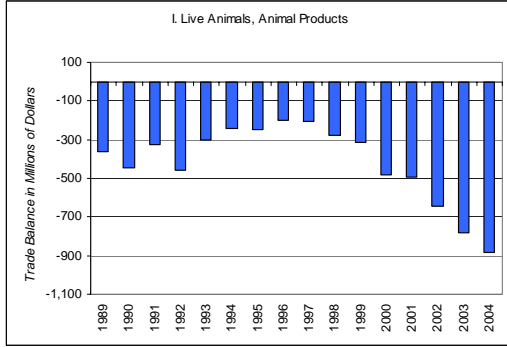


Source: U.S. Census Bureau, import and export statistics.

Since 1989, the U.S. trade balance with China, as measured by U.S. export data (fas) and U.S. import data (customs value), has declined substantially on a consistent basis. As the following charts show, the U.S. has a negative trade balance with China in 19 of the 22 product sections of the Harmonized Tariff Schedule, with a positive balance in only 3 HTS sections.

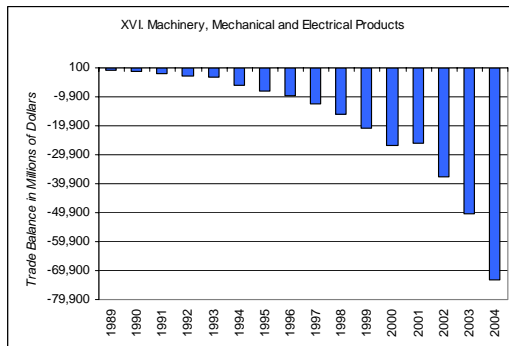
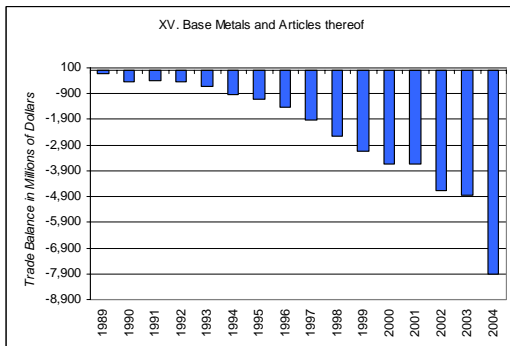
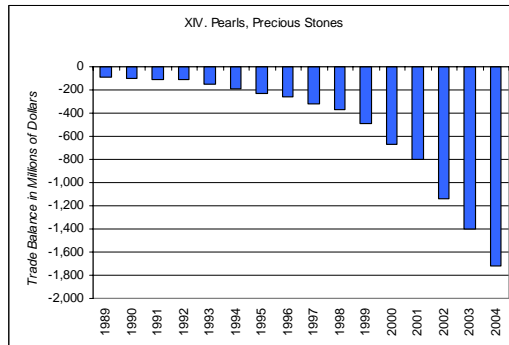
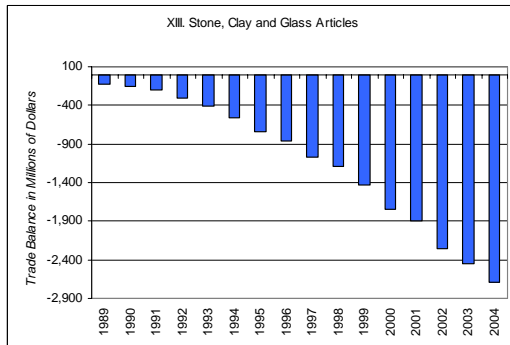
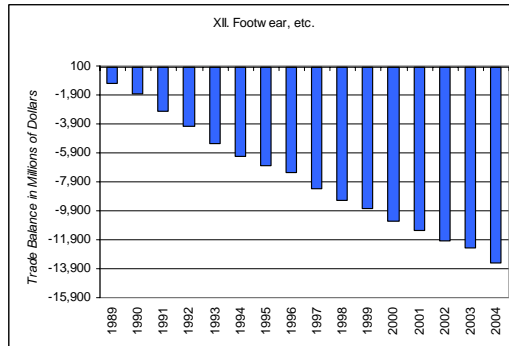
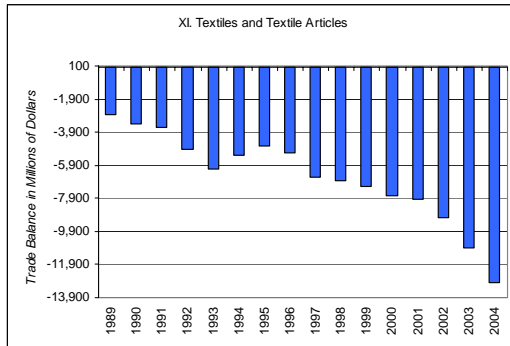
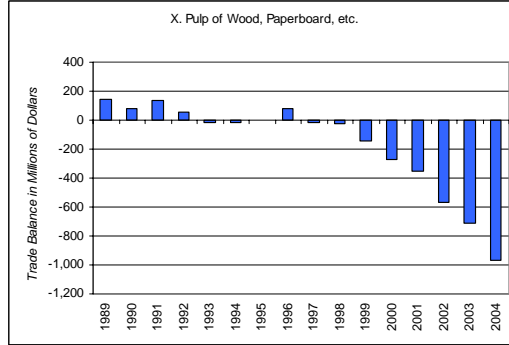
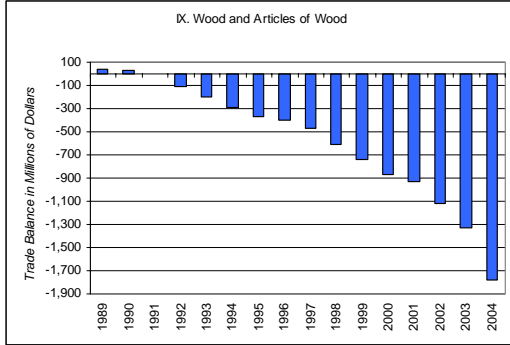
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U.S. Trade Balance with China – by HS Section



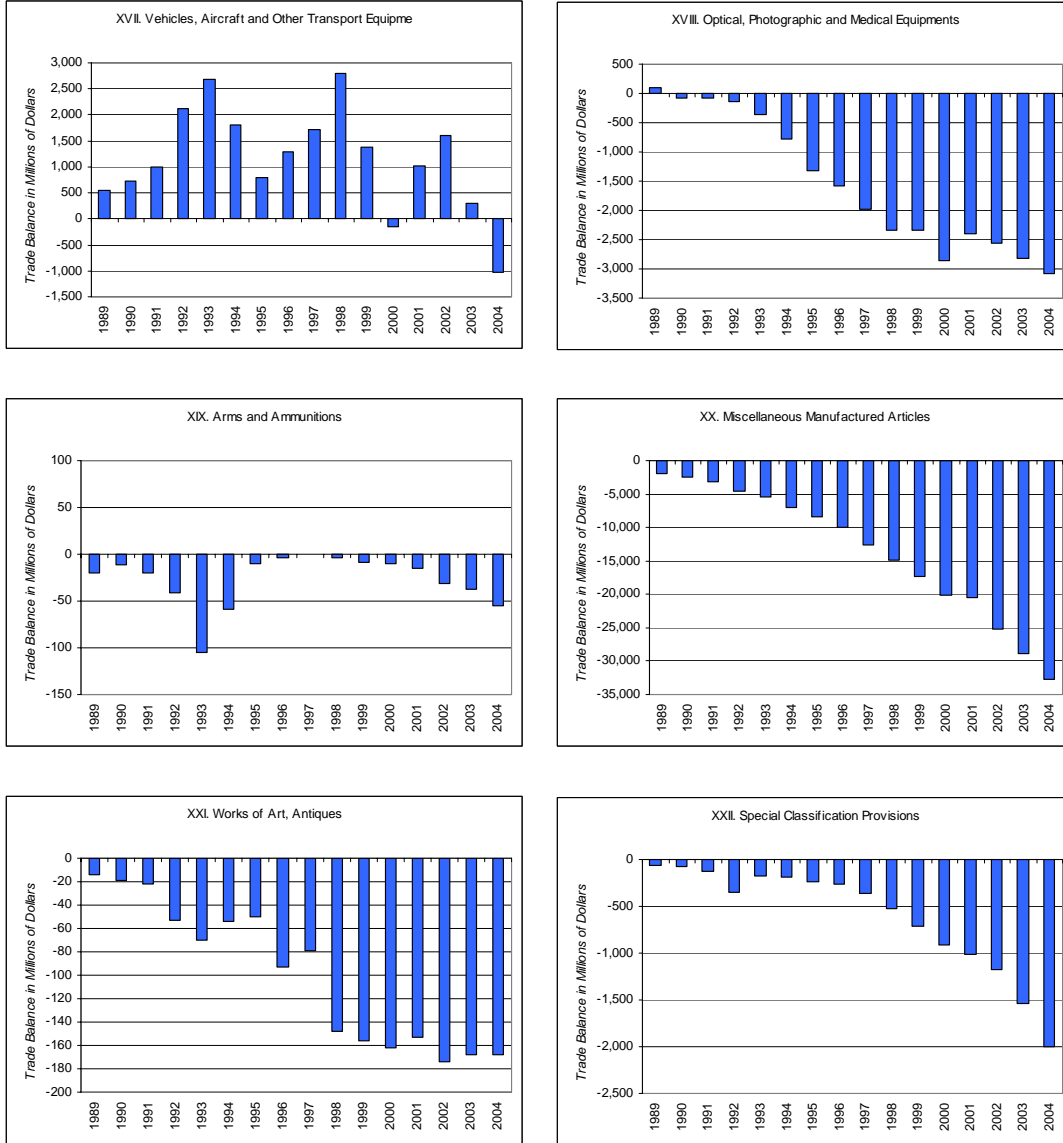
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U.S. Trade Balance with China – by HS Section



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U.S. Trade Balance with China – by HS Section



Continued growth of the U.S. trade deficit with China at its present pace is not sustainable. Because the trade deficit is the result, in part, of various factors that are not market-driven (e.g., China's WTO compliance deficiencies, undervalued currency, and rampant infringement of intellectual property rights, among others), it is important that the U.S. and other countries have the right to protect their economic interests consistent with the rights and obligations that China has assumed and the rights that other Members possess, including the right to use trade remedies such as antidumping laws.

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While it must be acknowledged that China has made a great number of changes to its trade regime as the result of its entry into the World Trade Organization, and has continued to make tremendous strides in its efforts to meet its WTO obligations, nevertheless, China has not yet achieved the status of a market economy country and still has a long way to go. The Chinese economy is still characterized to a significant degree by continued state control of economic factors, which result in false market signals and distorted trade flows. As former Secretary of Commerce Evans noted in June 2004:

Even today, far too many key assets and means of production within the Chinese economy are owned and operated by the state. We have seen too few “for sale” signs on the commanding heights of the Chinese economy. We need to see them.

We need to see them because market forces won’t control China’s economy until there is a substantial rollback of its control over raw materials, financial system, real estate, utilities, and large enterprises within China. When a government controls the means of production, it radically distorts economic conditions, undermines efficient capital usage, and compromises long-term potential and stability.

* * *

When markets operate with accurate information, they send price signals about risk and reward in a marketplace.

* * *

China’s state-run banks have routinely extended loans to state-owned-enterprises that are not expected to be repaid. And right now, the big four state banks in China are, for all practical purposes, insolvent.

* * *

Under state control, many Chinese state-owned manufacturers are operating with the benefit of state sponsored subsidies, including: rent, utilities, raw materials, transportation, and telecommunications services. That is not how we define a level playing field.¹

China’s continued state control of its economy and undervaluation of its currency have created false market signals which have fueled trade distortions. In particular, China’s undervalued currency encourages undervalued Chinese exports to the U.S. and discourages U.S.

¹ Remarks by Commerce Secretary Donald L. Evans to the President’s Export Council - American Chamber Of Commerce in Beijing, China, June 23, 2004. The full text is available at the website of the U.S. Department of Commerce: http://www.commerce.gov/opa/speeches/Evans/2004/June_23_Evans_ChinaBeijingAmcham.htm.

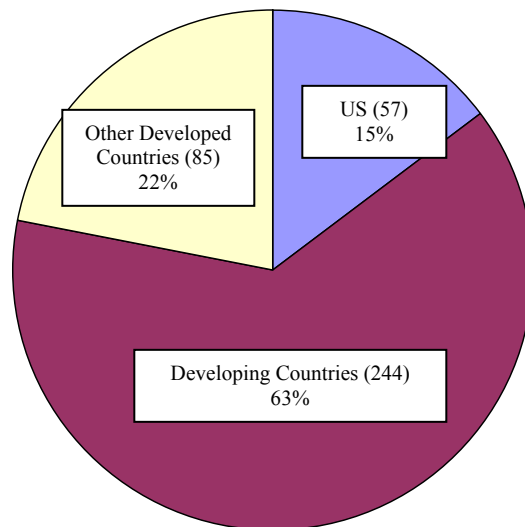
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exports because U.S. exports are artificially overvalued. As a result, Chinese exports have been disruptive to the U.S. and to other countries as well.

The highly disruptive effect of Chinese exports on the U.S. and other countries is evident in trade remedy statistics. Even though trade remedy cases affect a small percentage of total world trade, because of the effect of China's trade distortions, a significant number of trade remedy cases have been brought against China by the U.S. and other countries. Indeed, over the past 10 years, China was the number one target country of antidumping investigations brought by other countries. Between January 1, 1995 and June 30, 2004, 386 antidumping investigations were initiated by other countries against Chinese exports. This number far exceeds the number of antidumping investigations brought against any other individual country over the same period (second to China, Korea was the target of 194 antidumping investigations). *See Appendix 1.* What is surprising, however, is not that there have been so many antidumping investigations of Chinese exports over this period but that there have been so few, given the massive increase in Chinese exports and the significantly undervalued prices that have fueled these exports.

Over the January 1, 1995 through June 30, 2004 period, the U.S. brought only 15 percent of all the antidumping investigations initiated against China. The majority (63%) of antidumping investigations initiated against Chinese exports have been brought by developing countries.

**Antidumping Investigations Initiated Against China
01/01/1995 – 06/30/2004
Total: 386**



Source: WTO; http://www.wto.org/english/tratop_e/adp_e/adp_stattab1_e.pdf

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Moreover, a review of the 2004 customs value of selected product imports from China into the U.S. illustrates consistent undervaluation by Chinese imports. Taking HTS Chapters 84 and 85 (each of which contain over 1,000 tariff lines) for illustration purposes, it is evident that the average unit price of Chinese imports was more than 50% less than the average unit price for All Other countries in 615 out of 1,010 instances in Chapter 84 and 243 out of 719 instances in Chapter 85. *See* Appendix 2 for complete line-item data.

**Illustration of Chinese Underselling – HTS Chapters 84 and 85:
10-Digit Line Items where the China Price
is less than the All Other Price**

China Price vs. All Other Price	Chapter 84		Chapter 85	
	# of HS 10-digit Items	% of HS Items with QTY Data	# of HS 10-digit Items	% of HS Items with QTY Data
10% less	24	2%	83	12%
10-20%less	30	3%	62	9%
20-30% less	51	5%	40	6%
30-40%less	50	5%	74	10%
40-50% less	55	5%	62	9%
> 50% less	615	61%	243	34%
> All Other	185	18%	155	22%
	1010		719	
No Qty Data	890		508	
Total Line Items	1900		1227	

In order to address and deal with the trade distortions occasioned by undervalued Chinese exports and state control in China, and to prevent loss of jobs and industries due to such distortions, it is critical to the interests of U.S. manufacturers, as well as other countries, that strong and effective trade remedies be both viable and available for use when necessary.

In February 2005, the U.S. Economic and Security Review Commission held hearings addressing China's compliance with its WTO obligations and commitments. As a result of those hearings, the USCC issued a series of recommendations to Congress to encourage and improve China's WTO compliance as well as to make more effective the use of U.S. trade remedies to address unfair trade practices by China. In summary, the USCC recommended that Congress take action to address the following issues:

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- **China’s Currency Manipulation**
 - Press the Administration to file a WTO dispute regarding China’s exchange rate practices.
 - Consider imposing an immediate, across-the-board tariff on Chinese imports.
 - Reduce the ability of the Treasury Department to use technical definitions to avoid classifying China as a currency manipulator.
- **Intellectual Property Rights (IPR) Violations**
 - Urge USTR to file one or more WTO disputes pertaining to China’s violation of its WTO IPR obligations (particularly China’s failure to provide effective enforcement).
- **China’s Status as a Nonmarket Economy**
 - Require that Commerce obtain Congressional approval before implementing any determination that a nonmarket economy such as China has achieved market economy status, and ensure that China continues to be treated as a NME in the application of antidumping and countervailing duties through 2016.
- **WTO Dispute Resolution**
 - Establish a review body of distinguished, retired U.S. jurists and legal experts to evaluate the WTO dispute resolution mechanism, in particular to review decisions contrary to U.S. positions and to make findings whether the WTO ruling exceeded the WTO’s authority by placing new international obligations on the U.S. that it did not assent to in joining the WTO.
- **Enhancing the Effectiveness of U.S. Trade Remedies**
 - Authorize compensation to Section 421 petitioners for legal fees incurred in cases where the ITC finds market disruption but the President has denied relief. Consider eliminating presidential discretion in the application of Section 421 relief or limiting discretion to the consideration of non-economic national security factors.
 - Maintain the Continued Dumping and Subsidies Offset Act of 2000 (CDSOA or the “Byrd Amendment”) and press the Administration to seek explicit recognition during the Doha Round negotiations of the right of WTO Members to distribute monies collected from antidumping and countervailing duties to injured parties.
 - Clarify the authority of the Committee on the Implementation of Textile Agreements (CITA) to consider threat-based petitions for use of the China-specific textile safeguard.
 - Direct Commerce to make countervailing duties applicable to NMEs to provide an additional tool to combat China’s use of government subsidies for its exporters.
 - Repeal the “new shipper bonding privilege” that has allowed many importers of Chinese goods to avoid payment of anti-dumping duties.
- **Countering China’s Government Subsidies**
 - Direct USTR and Commerce to investigate China’s system of government subsidies for manufacturing, including tax incentives, preferential access to credit and capital from financial institutions owned or influenced by the state, subsidized utilities, and investment conditions requiring technology transfers.²

The Trade Lawyers Advisory Group agrees with and supports each of the USCC’s recommendations.

² Source: http://www.uscc.gov/pressreleases/2005/05_03_25pr.htm.

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The focus of the following sections of this paper, however, is on the current problems faced by the U.S. in maintaining the effectiveness of antidumping laws (and countervailing duty laws) to be used against imports from China (and other countries). These problems flow from three sources: a series of decisions from the WTO that have been viewed by many as creating obligations for Members not agreed to in the WTO Agreements; the need for the U.S. to achieve its principal negotiating objectives in the Doha rules negotiations by maintaining and improving the effectiveness of trade remedy laws; and the need to correct existing administrative practices by the Department of Commerce in non-market economy (NME) cases that create uncertainty. The Administration and Congress need to urgently address and take effective action on these issues.

II. EXISTING CHALLENGES TO EFFECTIVE TRADE REMEDIES VERSUS CHINESE DUMPING.

There are currently three major challenges to the effectiveness of trade remedy laws, particularly antidumping laws:

1. The erosion, in the WTO dispute settlement process, of the right to use trade remedies, and attacks respecting U.S. trade remedy practices in particular.
2. The ongoing Rules negotiations in the Doha Round, which are being used by many countries as an opportunity to attack and weaken trade remedies, in particular antidumping laws.
3. Practices developed by the U.S. Commerce Department (International Trade Administration) that have created disparity and uncertainty in the application of the antidumping law to non-market economy countries, such as China.

A. Overreaching by WTO Dispute Settlement Bodies.

The United States was a principal negotiator in the Uruguay Round. A significant part of the Uruguay Round Agreements to which the U.S. agreed is the Dispute Settlement Understanding (DSU). In the DSU, the U.S. accepted binding dispute settlement but did so on the condition and based on the understanding that obligations not otherwise agreed to would not be created by the dispute settlement process. Indeed, the DSU itself prohibits the creation of new rights and obligations. DSU Articles 3.2 and 19.2 explicitly prohibit panels, the Appellate Body, and the Dispute Settlement Body (DSB) from making findings or recommendations that “add to

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or diminish the rights and obligations provided in the covered agreements.”³ Instead, WTO Members have the exclusive authority to amend or adopt interpretations of the WTO Agreement pursuant to Article IX and X of the Marrakesh Agreement Establishing the WTO.

Following the Uruguay Round, the U.S. amended its trade remedy laws to be fully consistent with WTO obligations.⁴ Moreover, the U.S. believed that the Antidumping Agreement’s “special standard of review to be applied by WTO panels in resolving antidumping disputes” would “preclude panels from second-guessing U.S. antidumping determinations and from rewriting the terms of the Antidumping Agreement under the guise of legal interpretation.”⁵ Despite the U.S. belief that it had conformed its trade remedy laws to be fully WTO-consistent and that the Antidumping Agreement would not be rewritten by the dispute settlement process, over the last ten years, since the DSU came into force in 1995, there have been a host of losses in WTO dispute settlement actions in which covered agreements have been interpreted in a manner that, in the view of many, has created new obligations for the U.S. and other WTO Members. The following table presents a list of some of the WTO dispute settlement losses concerning U.S. trade remedy laws.⁶

Case	Issue
United States – Preliminary Determinations with Respect to Certain Softwood Lumber from Canada , WT/DS236/R (Sept. 27, 2002)	Benchmark for testing "adequate remuneration"
United States – Countervailing Measures Concerning Certain Products from the EC , WT/DS212/AB/R (Dec. 9, 2002)	Countervailability of preprivatization subsidies
United States – Countervailing Duties on Certain Corrosion-Resistant Carbon Steel Flat Products from Germany , WT/DS213/AB/R (Nov. 28, 2002)	Agency determination of likelihood of continuation or recurrence of subsidy
United States – Anti-Dumping and Countervailing Measures on Steel Plate from India , WT/DS206/R (June 28, 2002)	Use of "facts available"

³ Understanding on Rules and Procedures Governing the Settlement of Disputes, Apr. 15, 1994, arts. 3.2 & 19.2, *in* WORLD TRADE ORGANIZATION, THE RESULTS OF THE URUGUAY ROUND OF MULTILATERAL TRADE NEGOTIATIONS 354 (2001).

⁴ *See generally* Statement of Administrative Action to the Uruguay Round Agreements Act, H. Doc. 103-316, Vol. 1, 103d Cong., 2d Sess. 656 (1994) (“The bill approves and makes statutory changes required or appropriate to implement the Uruguay Round agreements ...”).

⁵ Statement of Administrative Action to the Uruguay Round Agreements Act, H. Doc. 103-316, Vol. 1, 103d Cong., 2d Sess. 807 (1994).

⁶ The Table presents examples of overreaching by WTO dispute settlement bodies involving U.S. trade remedy laws. A fuller list of cases of overreaching involving both trade remedy and non-trade remedy agreements is presented in Appendix 3.

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Case	Issue
United States – Anti-Dumping Measures on Certain Hot-Rolled Steel Products from Japan , WT/DS184/AB/R (July 24, 2001)	<ul style="list-style-type: none"> • Causation analysis in injury determinations • Calculation of "all others" dumping margin • Standard for disregarding sales to affiliated companies in dumping cases
United States – Anti-Dumping Measures on Stainless Steel Plate in Coils and Stainless Steel Sheet and Strip from Korea , WT/DS179/R (Dec. 22, 2000)	Dumping analysis in periods featuring sharp currency fluctuations
United States – Anti-Dumping Duty on Dynamic Random Access Memory Semiconductors ("DRAMs") of One Megabit or Above from Korea , WT/DS99/R (Jan. 29, 1999)	Standard for revocation of AD orders following temporary cessation of dumping
United States – Anti-Dumping Act of 1916 , WT/DS136/AB/R, WT/DS162/AB/R (Aug. 28, 2000)	Antidumping Act of 1916
United States – Definitive Safeguard Measures on Imports of Circular Welded Carbon Quality Line Pipe from Korea , WT/DS202/AB/R (Feb. 15, 2002)	<ul style="list-style-type: none"> • Design of safeguard measures • Application of safeguard measures to FTA partners • Causation standard in safeguard determinations
United States – Safeguard Measures on Imports of Fresh, Chilled or Frozen Lamb Meat from New Zealand and Australia , WT/DS177/AB/R, WT/DS178/AB/R (May 1, 2001)	<ul style="list-style-type: none"> • Unforeseen developments requirement in safeguard cases • Definition of domestic industry in safeguard cases • Causation standard in safeguard determinations
United States – Definitive Safeguard Measures on Imports of Wheat Gluten from the European Communities , WT/DS166/AB/R (Dec. 20, 2000)	Causation standard in safeguard determinations
United States – Continued Dumping and Subsidy Offset Act of 2000 , WT/DS217/AB/R, WT/DS234/AB/R (Jan. 16, 2003)	"Byrd Amendment"

This problem of “overreaching” by WTO dispute settlement panels and the Appellate Body has been recognized and criticized by Congress and the Administration, other WTO Members, and legal commentators. Yet, the problem has continued to date.

The pattern of decisions imposing new obligations in the trade remedy area raised such a degree of concern that, in the Trade Act of 2002, Congress explicitly called for correction of the

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problem and called for an Executive Branch strategy report in December 2002 to address the issue of overreaching.⁷

In the Trade Act of 2002, Congress made the following findings:

Support for continued trade expansion requires that dispute settlement procedures under international trade agreements not add to or diminish the rights and obligations provided in such agreements. Therefore—

(A) the recent pattern of decisions by dispute settlement panels of the WTO and the Appellate Body to impose obligations and restrictions on the use of antidumping, countervailing, and safeguard measures by WTO members under the Antidumping Agreement, the Agreement on Subsidies and Countervailing Measures, and the Agreement on Safeguards has raised concerns; and

(B) the Congress is concerned that dispute settlement panels of the WTO and the Appellate Body appropriately apply the standard of review contained in Article 17.6 of the Antidumping Agreement, to provide deference to a permissible interpretation by a WTO member of provisions of that Agreement, and to the evaluation by a WTO member of the facts where that evaluation is unbiased and objective and the establishment of the facts is proper.⁸

Congress stated that the “overall trade negotiating objective” of the U.S. concerning dispute settlement was “to further strengthen the system of international trading disciplines and procedures, including dispute settlement”⁹ and then identified seven “principal trade negotiating objectives” respecting dispute settlement and the enforcement of trade agreements:

- (1) to seek provisions for the resolution of disputes between governments “in an effective, timely, transparent, equitable, and reasoned manner, requiring determinations based on facts and the principles of the agreements, with the goal of increasing compliance with the agreements”;
- (2) to seek to strengthen the capacity of the Trade Policy Review Mechanism to review compliance;

⁷ See 19 U.S.C. § 3805(b)(3); *Executive Branch Strategy Regarding WTO Dispute Settlement Panels and the Appellate Body: Report to Congress Transmitted by the Secretary of Commerce* (Dec. 30, 2002).

⁸ 19 U.S.C. § 3801(b)(3).

⁹ 19 U.S.C. § 3802(a)(3).

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- (3) to seek adherence by panels and the Appellate Body to the applicable standard of review, “including greater deference, where appropriate, to the fact-finding and technical expertise of national investigating authorities”;
- (4) to seek early identification and settlement of disputes through consultation;
- (5) to seek provisions to encourage trade-expanding compensation absent compliance;
- (6) to seek provisions to impose a penalty that encourages compliance, is appropriate, and does not adversely affect parties or non-parties; and
- (7) to seek provisions treating U.S. principal negotiating objectives equally by providing equivalent dispute settlement and enforcement tools.¹⁰

In its report to Congress in December 2002, the Administration recognized that “aspects of several recent reports by WTO panels and the Appellate Body have departed from” the clear requirements to “ground their analysis firmly in the agreement text and accept reasonable, permissible interpretations of the WTO agreements by the Members.”¹¹ The Administration also recognized that public support for future trade liberalization depends on confidence that the WTO dispute process will not create new non-negotiated obligations.

[T]he United States does not agree with the approach that WTO panels and the Appellate Body have sometimes taken in disputes, and is concerned about the potential systemic implications. In particular, the executive branch views with concern the manner in which WTO panels and the Appellate Body have applied the applicable standard of review in disputes involving U.S. trade remedy and safeguard matters, and instances in which they have found obligations and restrictions on WTO Members concerning trade remedies and safeguards that are not supported by the texts of the WTO agreements....

If the perception develops that WTO panels and the Appellate Body are substituting their own policy judgment for a negotiated balance of rights and obligations, then it will be difficult to maintain the support and confidence of Members and the public in the value of future negotiations. It is essential, therefore, that WTO dispute settlement not alter the negotiated balance by creating limitations or obligations to which Members did not agree.¹²

¹⁰ 19 U.S.C. § 3802(b)(12).

¹¹ *Executive Branch Strategy Regarding WTO Dispute Settlement Panels and the Appellate Body – Report to the Congress Transmitted by the Secretary of Commerce* (Dec. 30, 2002).

¹² *Id.* at page 7 (emphasis added).

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In DSB meetings, the United States has been vocal in objecting to the problem of overreaching by WTO panels and the Appellate Body. For example, in the following cases, the U.S. expressly objected to problematic interpretations or decisions concerning a range of WTO agreements (antidumping; subsidies; safeguards; etc.).

Examples of U.S. Concerns Regarding Overreaching by DSU Panels

Short Title	U.S. Statements at DSB Meetings
US – FSC WT/DS/108	“[T]he Appellate Body appeared to have unjustifiably expanded the scope of action that might be taken.... At a minimum, the Appellate Body had managed to confuse the distinction between an authoritative interpretation under Article IX and an amendment under Article X in a manner that was not helpful to the WTO system.” (WT/DSB/M/77, para. 56 (April 17, 2000))
US – Wheat Gluten WT/DS/166	“[P]anels and the Appellate Body had overstepped their bounds when they had arrogated to themselves the right to censure particular Members for any reason....” (WT/DSB/M/97, para. 5 (Feb. 27, 2001))
US – Lamb WT/DS/177/178	“[T]he Appellate Body’s findings ... verged on an interpretation of a WTO agreement, even though such interpretations could be made only by Members....” (WT/DSB/M/105, para. 42 (June 19, 2001)) “This was a new obligation, not found in the WTO Agreements.” (WT/DSB/M/105, para. 42 (June 19, 2001))
US – Hot Rolled Steel (Japan) WT/DS/184	“The United States was concerned that the Appellate Body’s discussion of Article 17.6 had given entirely insufficient emphasis to the distinct nature of the review provided for in the Anti-Dumping Agreement.” (WT/DSB/M/108, para. 69 (Oct. 2, 2001))
US – Export Restraints WT/DS/194	“[T]he Panel had not limited its analysis to the measures before it. The United States believed that Members would find this other portion of the Panel Report – and the remarkable judicial activism it represented – extremely disturbing.” (WT/DSB/M/108, para. 43 (Oct. 2, 2001)) “[T]he Panel had disregarded this structure and had breached the fundamental constraint provided for in the DSU....” (WT/DSB/M/108, para. 44 (Oct. 2, 2001)) “[T]he Panel had effectively offered opinions not related to the actual measure in question....” (WT/DSB/M/108, para. 47 (Oct. 2, 2001)) “[T]he Panel had not applied or clarified the SCM Agreement. Instead, it had provided an interpretation of the SCM Agreement, a function ... reserved for the Ministerial Conference and the General Council.” (WT/DSB/M/108, para. 49 (Oct. 2, 2001)) “[A]ll Members, regardless of their views on the substantive subsidy issue, should be concerned about this Panel’s usurpation of an authority reserved to Members.” (WT/DSB/M/108, para. 50 (Oct. 2, 2001))
US – Section 211 Appropriations Act WT/DS/176	“[T]he Appellate Body Report had not sufficiently distinguished between these factual and legal findings of a panel and thus risked encroaching on a panel’s fact-finding role.” (WT/DSB/M/119, para. 27 (March 6, 2002))
US – Line Pipe WT/DS/202	“There were many instances in which the Appellate Body Report had disregarded the language of the covered agreements and applied standards of its own devising to evaluate the claims against the United States.... The greatest concern ... was the Appellate Body’s growing habit of creating its own rules.” (WT/DSB/M/121, para. 35 (April 3, 2002))
US – CVD Measures on EC Products WT/DS/212	“[T]he Appellate Body’s approach rested on certain general, unsupported assertions by the Appellate Body....” (WT/DSB/M/140, para. 9 (Feb. 6, 2003))
US – CDSOA WT/DS/217/234	“The Appellate Body had created a new category of prohibited subsidies that had neither been negotiated nor agreed to by WTO Members.” (WT/DSB/M/142, para. 55 (March 6, 2003)) “A finding that a Member had not acted in ‘good faith’ would clearly and unambiguously exceed the mandate of dispute settlement panels and the Appellate Body....” (WT/DSB/M/142, para. 57 (March 6, 2003))
US – Steel Safeguards WT/DS/248-49/ 251-54/258-59	“Such an exaltation of form over substance should be of concern to all Members.” (WT/DSB/M/160, para. 32 (Jan. 27, 2004))

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Short Title	U.S. Statements at DSB Meetings
Argentina – Poultry WT/DS/241	<p>“It was difficult to conceive of a scenario which more clearly implicated the prohibition in Articles 3.2 and 19.2 of the DSU....” (<i>WT/DSB/M/150, para. 44 (July 22, 2003)</i>)</p> <p>“Not only had the Appellate Body gone beyond what was said in those reports, but the phrase ‘adopted panel and Appellate Body reports’ was not even found in the list of covered agreements set forth in Appendix 1 to the DSU.” (<i>WT/DSB/M/150, para. 45 (July 22, 2003)</i>)</p>

Other cases in which the U.S. has voiced objections to overreaching by dispute settlement bodies include **US–Softwood Lumber III (Prelim. CVD)** (WT/DSB/M/135, paras. 5-7); **US–Corrosion Resistant Steel Sunset** (WT/DSB/M/162, para. 21); **US–Final Softwood Lumber V (AD)** (WT/DSB/M/175, para. 36); **US–Cotton** (USTR Press Release (9/8/04)); **US–Gambling** (USTR Press Release (11/10/04)).

In addition to the U.S., many other WTO Members, including Mexico, India, Chile, Argentina, Pakistan, Costa Rica, and Malaysia have objected to the problem of “overreaching” by WTO dispute settlement bodies with respect to a wide range of WTO agreements. The following provides a sampling of these broad-based objections.

Examples of Other WTO Members’ Concerns Regarding Overreaching by DSU Panels

Short Title	WTO Member Statements at DSB Meetings
US – Wool Shirts & Blouses WT/DS/33	<i>Costa Rica</i> : “The observations of the Panel and the Appellate Body had diverged from past practice and had modified the balance of rights and obligations which they claimed to be seeking to protect.” (<i>WT/DSB/M/33, p. 12 (June 25, 1997)</i>)
US – Shrimp WT/DS/58	<p><i>Pakistan</i>: “[T]he Appellate Body had exceeded its authority.... [B]y giving a new interpretation to certain DSU provisions had overstepped the bounds of its authority by undermining the balance of rights and obligations of Members.” (<i>WT/DSB/M/50, p. 5 (Dec. 14, 1998)</i>)</p> <p><i>Pakistan</i>: “The Appellate Body had encroached upon the authority of both Members and negotiators of the WTO Agreement.” (<i>WT/DSB/M/50, p. 5 (Dec. 14, 1998)</i>)</p> <p><i>India</i>: “The Appellate Body had an important role, but if it exceeded its mandate and authority under the DSU, like in this case, this would have the effect of adding to or diminishing the rights and obligations of Members under the various Agreements.” (<i>WT/DSB/M/50, p. 10 (Dec. 14, 1998)</i>)</p> <p><i>Mexico</i>: “[T]he Appellate Body had overstepped its authority in a manner that was damaging to the dispute settlement system.” (<i>WT/DSB/M/50, p. 13 (Dec. 14, 1998)</i>)</p>
Guatemala – Cement WT/DS/60	<p><i>Mexico</i>: “The Appellate Body had added new obligations on Members....” (<i>WT/DSB/M/51, p. 17, (Jan. 22, 1999)</i>)</p> <p><i>Mexico</i>: “The Appellate Body had contravened the provisions of Article 19.2 of the DSU, because its findings had diminished and added to the rights and obligations provided in the covered agreements.” (<i>WT/DSB/M/51, p. 18, (Jan. 22, 1999)</i>)</p>
Canada – Aircraft WT/DS/70	<i>Canada</i> : “[T]he Appellate Body had disregarded the general practice of international tribunals, which had been extensively argued by both parties.” (<i>WT/DSB/M/67, p. 4 (Sept. 30, 1999)</i>)
India – Quantitative Restrictions WT/DS/90	<i>Malaysia</i> : “[T]he Appellate Body had gone beyond its jurisdiction.... [T]he Appellate Body had modified significantly the rights and obligations of Members contrary to Article 3.2 of the DSU.” (<i>WT/DSB/M/68, p. 22 (Oct. 20, 1999)</i>)
Argentina – Footwear WT/DS/121	<p><i>Argentina</i>: “Such expansive jurisdiction of panels, which had been endorsed by the Appellate Body, looked more like a ‘police power’ and had never been provided for in the negotiations.” (<i>WT/DSB/M/73, p. 6 (Feb. 4, 2000)</i>)</p> <p><i>Argentina</i>: “The Appellate Body’s interpretation ... had altered the balance of rights and obligations resulting from the Uruguay Round Agreement. It had gone beyond the political agreement reached in this area during the Uruguay Round negotiations.... In other words, the Appellate Body would seem to be legislating rather than verifying the application of law in the case at hand.” (<i>WT/DSB/M/73, p. 7 (Feb. 4, 2000)</i>)</p>

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Short Title	WTO Member Statements at DSB Meetings
US – Lead and Bismuth II WT/DS/138	<i>Argentina</i> : “[T]he interpretation made by the Appellate Body exceeded its authority to establish working procedures for Appellate Review.” (WT/DSB/M/83, para. 14 (July 7, 2000))
Korea – Procurement WT/DS/163	<i>India</i> : “[The Panel] seemed to have assumed that it had a right to correct errors in the WTO Agreement.” (WT/DSB/M/84, para. 69 (July 24, 2000))
India – Autos WT/DS/146/175	<i>India</i> : “The Panel ... had made rulings on matters outside its mandate, beyond the request submitted by the parties and without the required legal and factual basis.” (WT/DSB/M/122, para. 17 (April 23, 2002))
Chile – PBS WT/DS/207	<i>Chile</i> : “[T]he Appellate Body was reconstructing the history in its conclusions.... Indeed, the conclusions of the Appellate Body and the Panel had rewritten the results of the negotiations and had altered the balance of rights and obligations.” (WT/DSB/M/134, para. 13 (Jan. 29, 2003)) <i>Chile</i> : “[A]s a result of the Reports such as those at the present meeting, Members would be faced with new obligations which had never been negotiated and which would lead, as in this case, to a transformation of the bases and legal effects of the most fundamental rules of GATT 1994.” (WT/DSB/M/134, para. 14 (Jan. 29, 2003))
EC – Sardines WT/DS/231	<i>Chile</i> : “The Appellate Body’s decision created a new category of Members, giving them rights and obligations that had not been negotiated and, furthermore, had not been recognized in the WTO Agreements.” (WT/DSB/M/134, para. 42 (Jan. 29, 2003))
Japan – Apples WT/DS/245	<i>Japan</i> : “[T]he Panel had prematurely shifted the burden of proof to Japan, and the Appellate Body had upheld this ruling.” (WT/DSB/M/160, para. 10, (Jan. 27, 2004))
EC – Tariff Preferences WT/DS/246	<i>India</i> : “[T]he findings of the Appellate Body had effectively transferred the prerogatives and powers of WTO Members to panels and the Appellate Body.” (WT/DSB/M/167, para. 52 (May 27, 2004))
Mexico – Telecom WT/DS/204	<i>Mexico</i> : “[T]he Panel imposed on Mexico obligations that Mexico had not undertaken during the negotiations.” (WT/DSB/M/170, para. 11 (July 6, 2004))

Moreover, legal commentators have noted the systemic problem of WTO dispute settlement panels and the Appellate Body creating implied obligations and overstepping the bounds of their authority. The following papers and articles are illustrative.

- Terence P. Stewart, Amy S. Dwyer, Elizabeth M. Hein, *Proposals For DSU Reform That Address, Directly Or Indirectly, The Limitations On Panels And The Appellate Body Not To Create Rights And Obligations* (October 29, 2004); prepared for “Essays on the Reform of the WTO Dispute Settlement System” (Cameron/May, forthcoming).
- Terence P. Stewart, *Developments in DSU Negotiations to Address WTO Panel and Appellate Body “Overreaching”*, published in ABA Section of International Law, *International Law News*, Vol. 34, No. 2 (Spring 2005).
- John Greenwald, *WTO Dispute Settlement: An Exercise in Trade Law Legislation?*, *Journal of International Economic Law*, 113-124 (2003).
- John Ragosta, Navin Joneja and Mikhail Zeldovich, *WTO Dispute Settlement: The System is Flawed and Must be Fixed*, *The International Lawyer*, Vol. 37, No. 3, 697-752 (Fall 2003).
- John Magnus, Navin Joneja and David Yocis, *What Do All These Adverse WTO Decisions Mean?*, Paper presented at Georgetown University Law Center’s Trade Law Update, January 30, 2003.
- Daniel K. Tarullo, *The Hidden Costs of International Dispute Settlement: WTO Review of Domestic Anti-Dumping Decisions*, *Law and Policy in International Business*, Vol. 34, No.1, 109-181 (2002).

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- Paul C. Rosenthal, Jeffrey S. Beckington, *Dispute Settlement Before the World Trade Organization in Antidumping, Countervailing and Safeguard Actions: Effective Interpretation or Unauthorized Legislation*, Paper presented at Developments in World Trade Organization Law, Geneva, Switzerland, March 20-21, 2003.

A significant number of WTO Members have identified overreaching by WTO dispute settlement bodies as a serious systemic problem. Given that there is no built-in mechanism in the WTO dispute settlement system to correct instances of overreaching, it is imperative that the problem of overreaching be addressed in the context of the Doha negotiations on DSU reform.

The U.S. has made initial proposals at Doha to reform the DSU and to address some of the issues decided by adverse WTO dispute settlement decisions. In the DSU negotiations, the U.S. has submitted the following proposals:

U.S. Proposals	Issues Addressed
<ul style="list-style-type: none"> • Communication from the United States of August 9, 2002, TN/DS/W/13 (Aug. 22, 2002) • Communication from the United States of February 10, 2003, TN/DS/W/46 (Feb. 11, 2003) • Contribution by Chile and the United States of December 17, 2002, TN/DS/W/28 (Dec. 23, 2002) • Textual Contribution by Chile and the United States of March 11, 2003, TN/DS/W/52 (March 14, 2003). 	<ul style="list-style-type: none"> • Amend the DSU by providing additional guidance to WTO adjudicative bodies • Enhance Member control over the dispute settlement process • Improve transparency • Ensure panel expertise

In the context of the Doha Rules negotiations, the U.S. has made proposals aimed at modifying specific WTO agreements (*e.g.*, Antidumping; Subsidies and Countervailing Measures; Safeguards) in order to address aspects of adverse WTO panel or Appellate Body decisions, including the following:

U.S. Proposal	Issue Addressed	Adverse WTO Panel or AB Decision
TN/RL/W/72	All others rate	<i>US – Hot-Rolled Steel (Japan)</i> , WT/DS 184
TN/RL/W/78	Taxation	<i>US – FSC</i> , WT/DS 108
TN/RL/W/78	Indirect subsidies	<i>US – Export Restraints</i> , WT/DS 194
TN/RL/W/98 TN/RL/W/130	Causation	<i>US – Hot-Rolled Steel (Japan)</i> , WT/DS 184
TN/RL/W/130	Privatization	<i>US – Lead and Bismuth II</i> , WT/DS 138
TN/RL/W/130	Privatization	<i>US – Countervailing Measures on Certain EC Products</i> , WT/DS 212
TN/RL/W/130	Sales to affiliates	<i>US – Hot-Rolled Steel (Japan)</i> , WT/DS 184
TN/RL/W/153	Facts available	<i>US – Hot-Rolled Steel (Japan)</i> , WT/DS 184

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U.S. Proposal	Issue Addressed	Adverse WTO Panel or AB Decision
TN/RL/W/153	Facts available	<i>US – Steel Plate (India)</i> , WT/DS 206
TN/RL/W/153	Specific action	<i>US – Offset Act</i> , WT/DS 217/234

While the initial U.S. DSU proposals have raised important systemic issues, and the Rules proposals have addressed specific problems created by WTO panel or AB decisions, the U.S. needs to submit follow-up proposals and to intensify its efforts to achieve the Congressionally-mandated negotiating objectives regarding dispute settlement.

B. The Doha Round Negotiations on Rules.

In the Ministerial Declaration setting out the Doha Round agenda, WTO Members agreed to “negotiations aimed at clarifying and improving disciplines” under the Antidumping Agreement (AD) and the Agreement on Subsidies and Countervailing Measures (SCM), “while preserving the basic concepts, principles and effectiveness of these Agreements.”¹³

In the Trade Act of 2002, Congress established that one of the “principal negotiating objectives of the United States” was the promotion of rigorous enforcement of trade remedy laws and prevention of the lessening of the effectiveness of such laws:

The principal negotiating objectives of the United States with respect to trade remedy laws are ---

(A) to preserve the ability of the United States to enforce rigorously its trade laws, including the antidumping, countervailing duty, and safeguard laws, and avoid agreements that lessen the effectiveness of domestic and international disciplines on unfair trade, especially dumping and subsidies, or that lessen the effectiveness of domestic and international safeguard provisions, in order to ensure that United States workers, agricultural producers, and firms can compete fully on fair terms and enjoy the benefits of reciprocal trade concessions; and

(B) to address and remedy market distortions that lead to dumping and subsidization, including overcapacity, cartelization, and market-access barriers.¹⁴

¹³ *Ministerial Declaration*, Ministerial Conference, Fourth Session, Doha, 9-14 November 2001, WT/MIN(01)/DEC/1, para. 28 (Nov. 20, 2001).

¹⁴ 19 U.S.C. § 3802(b)(14).

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To date, there have been 178 submissions in the Doha negotiations on Rules. The majority of these submissions, contrary to the Doha mandate to “clarify” and “improve” disciplines while “preserving” the effectiveness of the AD and SCM agreements, actually seek to weaken the AD and SCM agreements. Of the 178 submissions so far, participants have proposed more than 100 specific changes to the AD Agreement, and more than half of these proposals would weaken the effectiveness of the agreement. The following table provides examples of Doha proposals that would weaken the antidumping trade remedy.

Proposals to Weaken AD Agreement	Consequences
Use more below cost sales for normal value	Lower antidumping duties
Offset dumping margins with “negative” margins (i.e., prohibit “zeroing”)	Lower antidumping duties
Restrict determination of injury from several countries together	More negative injury determinations and fewer antidumping orders
Require increased evidence that dumping is a cause of injury	More negative injury determinations and fewer antidumping orders
Tighten rules on finding threat of injury	More negative injury determinations and fewer antidumping orders
Increase “ <i>de minimis</i> ” dumping levels	Fewer antidumping orders
Increase “negligible” volume levels	Fewer antidumping orders
Require a “Public Interest” test of orders	Politicization and fewer orders
Mandatory Lesser Duty Rule	Lower antidumping duties
Automatic “Sunset” of orders at 5 years	Shorter relief from unfair trade
Define “product under investigation”	More difficult initiation, more negative injury determinations and fewer orders
Impose a “ <i>de minimis</i> ” margin on reviews	Allowance of more dumping without remedy
Dispute panels on initiations	Make initiations more difficult and less certain, delay investigations
Increase minimum participation of domestic industry	More difficult initiations, fewer investigations and orders
Higher standards to consider companies related	More use of non-market prices, lower dumping duties
Use investigation standards in “sunset” reviews	Shorter relief from unfair trade
Allow more below cost sales for perishable products	Lower dumping duties on agricultural products
Restrict choices for constructed value profit	Lower antidumping duties
Verification of petitions for investigation	More difficult initiations, fewer investigations and orders

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Proposals to Weaken AD Agreement	Consequences
Include “de minimis” margins in all other rate	Lower dumping duties
Automatic use of costs calculated in accordance with local standards, without review for reflection of full costs	Lower dumping duties
Prohibit investigations within one year of an investigation of the same product or broader product range with a negative outcome	Reduces ability to obtain relief from dumping of specific products or take into account changed market conditions or declining health of domestic industry
Add “reasonability” test to Constructed Value profits	Lower antidumping duties
Separate and distinguish non dumping injury factors	More negative injury determinations and increased difficulty of obtaining relief from dumping
Restrict authority to decline offers of price undertakings	Fewer orders with defined duty in favor of unenforceable suspensions of investigations
Prohibit concurrent antidumping and Safeguards measures	Less relief available from surging or dumped imports
Apply minimum allowable domestic market rules on each model of a product	Increased use of export prices as benchmark for export prices to U.S. Lower dumping duties
Apply lesser price rule to Price Undertakings	Less protection from Price undertakings (Suspension Agreements in U.S.)
Make adjustments for indirect selling expenses in normal value is it is done in calculating a Constructed Export Price	Lower antidumping duties
Measure cost recovery over longer than one year	More use of below cost sales, lower dumping duties
Provide specific benefits to developing countries in Antidumping Investigations	Lower dumping duties for unfair imports from developing countries
Require refund of duties to implement dispute panel decisions	Reduction or termination of relief from dumped imports

Source: Law Offices of Stewart and Stewart, *U.S. Trade Laws: Current Challenges in the World Trade Organization* (April 2003).

To date, the U.S. has made a number of beneficial and useful submissions in the Rules negotiations. These submissions have explained the purpose of trade remedies, questioned various proposals made by other Members, and proposed changes that would enhance the Agreements’ effectiveness. The following list identifies some of the significant antidumping and subsidies issues and topics that the U.S. has raised in the Doha Rules negotiations to date. The U.S. submissions seek discussion, clarification, and improvement in these issues.

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U.S. Submission	Subject	Proposal
TN/RL/W/130 (06-30-04)	Article 17.6 – Standard of Review in Antidumping Disputes	Members should “consider whether Article 17.6 should be addressed to ensure that panels and the Appellate Body properly apply it.” Members should consider whether a similar provision should be included in the SCM Agreement.
TN/RL/W/153 (04-26-04)	Continued Dumping and Subsidy Offset Act (CDSOA)	Group should address the right of Members to distribute monies collected from antidumping and countervailing duties.
TN/RL/W/72 (03-19-03)	Establishment of Overall Weighted-Average Dumping Margins (The Offset or “Zeroing” Issue)	Group should clarify obligations of Members respecting the manner in which the overall weighted average margins are to be calculated.
TN/RL/W/98 (05-06-03)	Alternative Causes of Injury (“Separate and Distinguish”)	Group should consider whether “the ADA needs to be clarified to provide authorities practical guidance in implementing the negative obligation of non-attribution and on how this obligation should relate to the examination of the effect of dumped imports, while ensuring that any affirmative obligations are clearly set forth in the Agreement and are workable for authorities to implement.”
TN/RL/W/50 (02-04-03)	Circumvention	Raised the issue of circumvention, noting the incomplete work of the Uruguay Round in this area, and said the U.S. would submit a proposal in the future.
TN/RL/W/130 (06-20-03)	Related Party Test	ADA should be clarified to address situations where one party is in a position to exercise <i>de facto</i> control over another, even where there is no equity ownership or other legal control, or where two parties are in such a position that they may be expected to act in concert.
TN/RL/W/72 (03-19-03)	Calculation of All Others Rate Using Margins Based Partly on Facts Available	Group should clarify Article 9.4 to ensure that the “all-others” rate can be calculated using appropriate and reasonable methods, and should consider whether margins based, in part, on facts available may be included in the calculation of the all-others rate.
TN/RL/W/153 (04-26-04)	Use of Facts Available	Members should consider whether the ADA provisions governing the use of facts available need to be clarified to ensure that responding parties have an incentive to provide all necessary information.
TN/RL/W/72 (03-19-03) TN/RL/W/156/Rev.1 (07-14-04)	New Shipper Reviews	Group should examine new shipper review process to determine whether the ADA and ASCM needs clarification to prevent abuse of the new shipper review process.
TN/RL/W/34 (12-02-02) TN/RL/W/103 (05-06-03)	Lesser Duty Rule/Public Interest Test	Submissions addressed questions to other Members concerning proposals for a mandatory “lesser duty rule”/“injury margin” and “public interest test.”

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U.S. Submission	Subject	Proposal
TN/RL/W/35 (12-03-02) TN/RL/W/71 (03-18-03) TN/RL/W/98 (05-06-03) TN/RL/W/130 (06-20-03) TN/RL/W/162/Rev.1 (07-14-04)	Due Process and Transparency Improvements	U.S. submitted a variety of proposals to improve due process and transparency under the ADA and ASCM.
TN/RL/W/72 (03-19-03)	Perishable, Seasonal and Cyclical Agricultural Products	Group should clarify and improve the rules pertaining to issues particular to AD and CVD investigations of perishable, seasonal and cyclical products.
TN/RL/W/130 (06-20-03)	Privatization	Members should “examine whether the ASCM should be clarified” with respect to “the impact of privatization on the benefit from prior subsidies” in situations not covered by Article 27.13.
TN/RL/W/78 (03-19-03)	Indirect Subsidies	Determination of “government control” should be developed. Definition of “public body” (art. 1 ASCM) should be discussed. The term “entrusts or directs” (art. 1.1(a)(1)(iv) ASCM) should be examined. Terms of ASCM Article 14(b) regarding government loans should be clarified and improved. Notification/transparency requirements should be clarified and improved.
TN/RL/W/78 (03-19-03)	Prohibited Subsidies	The ASCM should also prohibit: large domestic subsidies, subsidies to cover operating losses, and direct forgiveness of debt. Existing remedies for prohibited subsidies should be discussed and strengthened.

Overall, however, the proposals tabled by Members so far are unbalanced. Much more remains to be done to ensure that the U.S. achieves Congress’ stated negotiating objectives in the Rules negotiations. Time is critical. While the U.S. initial submissions have been beneficial, the U.S. still needs to present many second papers to follow-up and flesh out its initial submissions, as well as to respond to submissions of other Members. Moreover, the U.S. has still not put forward a full list of papers necessary to ensure that the U.S. negotiating objectives are met.

To meet its negotiating objectives, the U.S. should make further submissions proposing additional modifications to the ADA and ASCM to enhance their effectiveness. Such proposals should include the following:

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Issues	Suggested Proposal
De Minimis and Negligibility Thresholds	Modify ADA Article 5.8 to change the <i>de minimis</i> (and therefore non-actionable) level of dumping from 2% to 0.5% during investigations to increase the effectiveness of the remedy. The level which denotes “negligible” imports in ADA Article 5.8 should also be changed from 3% of total imports from one country and 7% from all countries with less than a 3% share to 2% and 5%, respectively.
Sunset Reviews	ADA Article 11.3 and ASCM Article 21.3 should be modified to include a presumption of continuation of CVD/AD orders. Alternatively, these articles should simply be deleted.
Distinction Between Investigations and Reviews	Language should be added to the ADA and ASCM clarifying that provisions applicable to investigations do not apply to reviews unless the text of the Agreements expressly state that such rules are applicable to reviews.
Dispute Settlement Challenges of Provisional Measures and Preliminary Determinations	U.S. should propose that the ADA and ASCM be modified to allow challenges of provisional measures and preliminary determinations only after final action has been taken by the administering authority.
Deadlines for Challenges in Trade Remedy Disputes	ADA Article 17.4 and ASCM Article 30 should be modified to include a deadline to challenge final determinations in AD/CVD cases.
Self-Initiation of Investigations	ADA Article 5.1 and ASCM Article 11.1 should be amended to provide that “Unless self-initiated by a competent authority under paragraph 6....” This change will place investigations initiated pursuant to industry petition and investigations self-initiated by authorities on equal footing.
Standing	ADA Article 5.4 and ASCM Article 11.4 should be revised to allow initiation unless there is substantial opposition expressed to authorities by the domestic industry.
Unwarranted Confidentiality Claims	The last clauses of ADA Article 6.5.2 and ASCM Article 12.4.2, which allow respondents to escape the consequences of making unwarranted claims of confidentiality by demonstrating the correctness of the disputed information, should be deleted.
Multiple Averaging Periods	ADA Article 2 should be amended to include a provision defining the term “period of investigation” as normally one year, but not less than six months. ADA Article 2.4.2 should be amended to specify that separate average normal values, export prices or constructed export prices may be calculated for discrete periods within the POI when the administering authorities determine there are distinct differences in patterns and terms of trade for those periods, including, <i>inter alia</i> , significant fluctuation in currency values.
“Fair Comparison”	The first sentence of ADA Article 2.4 should be modified to replace the words “a fair comparison” with “the price comparison.” This would clarify the obligations set out in Article 2.4.

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Issues	Suggested Proposal
Documentation of Claims for Adjustments Under ADA Article 2.4	<p>ADA Article 2.4 should be amended by adding a footnote placing the burden of proof on those parties making a claim for favorable adjustments to fully document the claim with material that demonstrates the correctness of the claim.</p> <p>ADA Article 2.4 should be amended to add a paragraph allowing the administering authority to take an adverse inference if the party claiming the adjustment is unable to comply with a reasonable request for substantiation.</p>
Payment of Additional AD Duties Where Definitive Duties are Higher than Provisional Duties	ADA Article 10.3 should be modified to provide for the payment, as well as the refund of the difference between provisional and definitive antidumping duties.
“Special Care” Threshold for Threat Determinations	ADA Article 3.8, and ASCM Article 15.8, which require determinations of threat of injury to be made with “special care,” should be deleted.
Verification	Amend Article 6.7 and paragraph 2 of Annex I of the ADA and Article 12.6 and paragraph 2 of Annex VI of the ASCM to permit parties with APO access to attend verifications of foreign producer questionnaire information.
Circumvention Based on Upstream Dumping	Develop effective mechanisms for incorporation into the ADA to address upstream dumping.
Circumvention Based on Input Products	Provide that the inclusion of a dumped or subsidized product on or into a further advanced product will not preclude coverage of the importation of the originally dumped or subsidized product under an antidumping or countervailing duty order.
Presumption of Injury for Repeat Offenders	Amend the ADA to add a presumption of injury and causation in any new investigation where dumping has been found to have occurred in the same SIC category twice in the last five years.
Effective Action Against Fill-In Countries	Establish a presumption of injury and causation for cases brought within 3 years of an AD/CVD order, in a supplier- or country-shift position.
Elimination of Injury Test	Eliminate the injury test for AD/CVD cases where a margin for any respondent is greater than 20%.
Privatization	The presumption created by the Appellate Body should be eliminated by adding a footnote to ASCM Article 1.1(b) providing that the amount of benefit conferred is not affected by a change in ownership of the recipient or a change in the ownership of the recipient’s productive assets.
Indirect Subsidies	<p>Amend Article 1.1(a)(1) of the ASCM to clarify that an export restraint can be a financial contribution.</p> <p>Amend ASCM Article 1.1(a)(1)(iv) or add a footnote to clarify that government direction may include changes in the terms of loans, imposition of export taxes or restraints, and direction of activities of private parties.</p> <p>Clarify that the government is presumed to direct private parties it owns in whole or in part.</p>

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Issues	Suggested Proposal
Serious Prejudice	Amend ASCM Article 6.4 to apply to Article 6.3(a) claims. Add to the end of ASCM Article 6.4: “For the purpose of paragraphs 3(a) and (b), the displacement or impeding of imports or exports shall include any case in which, subject to the provisions of paragraph 7, it has been demonstrated that there is a relative lack of imports or exports of a like product of another Member in the market compared to other markets.”
Limit Challenges to Final Measures	Amend ADA and ASCM to limit challenges to final measures only (as opposed to preliminary or provisional measures).
Prohibit Members from Challenging Practices Engaged in by Member	Amend ADA and ASCM to prohibit Members from challenging practices or methods that the challenging Member itself engages in.
Require Evidence of Adverse Trade Effects Before Challenge	Amend ADA and ASCM to limit dispute challenges to cases where there are existing adverse trade effects.

In addition to the trade remedy law negotiating objectives, Congress also directed its attention to certain institutional biases that prejudice U.S. interests, such as the disparity in treatment of border taxes. Thus, the Trade Act of 2002 established that:

The principal negotiating objective of the United States regarding border taxes is to obtain a revision of the WTO rules with respect to the treatment of border adjustments for internal taxes to redress the disadvantage to countries relying primarily on direct taxes for revenue rather than indirect taxes.¹⁵

One primary example of a border tax adjustment is the refund or remission of internal taxes paid on goods that are exported rather than domestically consumed. Typically, such refunded internal taxes are indirect taxes (*e.g.*, sales taxes and value-added taxes) but do not include direct taxes (*e.g.*, income taxes paid by a company). The GATT 1994 (Articles VI and XVI) permits border adjustments for indirect taxes but not for direct taxes. Because the U.S. has a direct tax system, U.S. companies that export have not received the advantage of border tax adjustments that exporters from other countries that use an indirect tax system receive.

The U.S. has attempted to eliminate the prejudicial effect of disparate treatment of border taxes by raising the issue in the context of the Doha Rules negotiations and discussions about subsidy disciplines.¹⁶ To date, however, there has been no agreement at Doha to address this problem. The U.S. should submit further proposals on this issue, in particular proposing: (1) that paragraph (e) of Annex I of the ASCM be modified to add “indirect taxes,” after “direct taxes” and that footnote 1 of the ASCM be modified accordingly; (2) that ASCM Article 1.1(a) be

¹⁵ 19 U.S.C. § 3802(b)(15).

¹⁶ TN/RL/W/78 (March 19, 2003).

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modified to include the assessment of indirect taxes upon imported products and that ASCM Article 3.1 be modified to prohibit their assessment.

C. Creation of Lack of Predictability by the International Trade Administration in Regulatory Decision Making in NME Cases.

Another major challenge to the effectiveness of the antidumping remedy, and one that particularly affects the effectiveness of the antidumping remedy as applied to China, is the lack of predictability in non-market economy (NME) cases administered by the Department of Commerce’s International Trade Administration (ITA). Under existing practice, ITA employs a number of methodologies or analytical approaches to the calculation of dumping margins in NME cases that can artificially reduce the margin of dumping in favor of importers and against the interests of domestic producers.

Over time, due to such practices and methodologies, a marked disparity and imbalance between the margins calculated in market economy cases and non-market economy cases has become evident. While there is a level of predictability in market economy cases, non-market economy cases are characteristically unpredictable. In effect, application of the NME statute and practices developed by ITA have created systemic biases and led to a bipolar distribution of margins in NME cases, especially cases involving China, in contrast with the outcomes in market economy cases. That is, ITA’s NME methodologies commonly result in AD margins for individually-investigated companies that are either extremely high or extremely low. The following table illustrates the type of bipolar margin results that are seen in NME cases.

Examples of Bipolar Results in China AD Investigation Final Determinations

Final Determinations with Range of High Calculated Margins		Final Determinations with Range of Low Calculated Margins	
Chlorinated Isocyanurates 70 FR 24502 (05-10-05)	75.78	Certain Color Television Receivers 69 FR 20594 (04-16-04) 69 FR 28879 (05-19-04) (amended)	26.37
	137.69		21.25
	285.63		22.49
Tetrahydrofurfuryl Alcohol 69 FR 34130 (06-18-04)	136.86	Wooden Bedroom Furniture 69 FR 67313 (11-17-04)	9.69
			5.22
			0.79
			2.22
			6.95
Certain Frozen and Canned Warmwater Shrimp 69 FR 70997 (12-08-04) 70 FR 5149 (02-01-05) (amended)	0.07 27.89 53.68 80.19 82.27	Non-Malleable Cast Iron Pipe Fittings 68 FR 7765 (02-18-03)	5.07
			8.64
			15.24
			16.70
			7.08
			6.34

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Final Determinations with Range of High Calculated Margins		Final Determinations with Range of Low Calculated Margins	
Saccharin 68 FR 27530 (05-20-03) 68 FR 35383 (06-13-03) (amended)	291.57 249.39 281.97	Certain Ball Bearings and Parts Thereof 68 FR 10685 (03-06-03)	7.22 7.80 8.33 10.59
Certain Cold-Rolled Carbon Steel Flat Products 67 FR 62107 (10-03-02)	105.35	Lawn and Garden Steel Fence Posts 68 FR 20373 (04-25-03)	0.00 6.60 1.42
Steel Concrete Reinforcing Bars 66 FR 33522 (06-22-01) 66 FR 43573 (08-20-01) (amended)	132.53	Polyvinyl Alcohol 68 FR 47538 (08-11-03) 68 FR 52183 (09-02-03) (amended)	6.91
Foundry Coke Products 66 FR 39487 (07-31-01) 66 FR 45962 (08-31-01) (amended) 66 FR 48025 (09-17-01) (amended)	48.55 75.58 101.62 105.91	Certain Malleable Iron Pipe Fittings 68 FR 61395 (10-28-03) 68 FR 65873 (11-24-03) (amended)	7.35 11.18 11.31 15.92
Certain Preserved Mushrooms 63 FR 72255 (12-31-98) 64 FR 8308 (02-19-99) (amended)	121.47 162.47 151.15 142.11	Certain Automotive Replacement Glass Windshields 67 FR 6482 (02-12-02) 67 FR 11670 (03-15-02) (amended)	3.71 9.84 11.80
Freshwater Crawfish Tail Meat 62 FR 41347 (08-01-97) 62 FR 48218 (09-15-97) (amended)	91.50 108.05 119.39 122.92 156.77	Folding Metal Tables and Chairs 67 FR 20090 (04-24-02) 67 FR 34898 (05-16-02) (amended)	00.00 13.72
		Structural Steel Beams 67 FR 35479 (05-20-02) 67 FR 41397 (06-18-02) (amended)	15.23
		Certain Circular Welded Carbon-Quality Steel Pipe 67 FR 36570 (05-24-02)	0.00 3.87
		Certain Folding Gift Boxes 66 FR 58115 (11-20-01) 66 FR 63216 (12-05-01) (amended)	8.90 1.67
		Certain Non-Frozen Apple Juice Concentrate 65 FR 19873 (04-13-00) 65 FR 35606 (06-05-00) (amended)	8.98 9.96 12.03 14.88 25.55 27.57
		Melamine Institutional Dinnerware Products 62 FR 1708 (01-13-97) 62 FR 8426 (02-25-97) (amended)	0.04 0.46 0.47 2.74

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Final Determinations with Range of High Calculated Margins		Final Determinations with Range of Low Calculated Margins	
		Brake Drums and Brake Rotors 62 FR 9160 (02-27-02) 62 FR 15655 (04-02-97) (amended)	Drums 0.00 17.20 Rotors 0.00 3.56 8.51 16.07
		Collated Roofing Nails 62 FR 51410 (10-01-97)	0.00
		Bicycles 61 FR 19026 (04-30-96) 61 FR 33901 (07-01-96) (amended)	0.00 0.37 0.67 1.83 2.02 2.27 2.95
		Disposable Pocket Lighters 60 FR 37047 (07-19-95) (amended)	0.00 0.55 5.49 27.91
		Manganese Metal 60 FR 56045 (11-06-95) 60 FR 4415 (02-06-96) (amended)	0.97 4.60 5.88 11.77

A number of the practices employed by ITA in NME cases that create uncertainty and lead to bipolar results are not required by statute but have been developed by ITA in practice over time. Although some of ITA's practices may have been affirmed by the courts, they are not statutorily-required and need to be modified to restore balance and predictability to the NME antidumping process.

Among ITA practices and methodologies in NME cases that are not required by statute, contribute to imbalanced and unpredictable results, and should be modified are the following:

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ITA NME Practice	Problem
Ratios: Use of unadjusted ratios from annual reports that result in distorted calculations of normal values.	<ul style="list-style-type: none"> Methodology can result in understated ratios being used for FOH, GS&A and profit, which can result in dramatic understatement of normal value of product in NME cases.
Import values: Use of import values exclusive of import duties as surrogate values based on the view that the purpose of the NME methodology is to construct the costs of exports to the U.S. rather than a surrogate normal value.	<ul style="list-style-type: none"> By choosing to calculate the export price instead of the domestic price for a product in order to determine normal value, ITA artificially lowers the normal values it calculates by the amount of any import duties paid on the product.
COP: In ME cases, cost investigations (and CV calculations) look at the average cost of production of the item in all facilities in the country by the producer. However, in NME cases, ITA does not require the average number of labor hours and average amount of inputs for all facilities producing the product but just those engaged in producing for export.	<ul style="list-style-type: none"> Costs are understated because of the potential structuring of export transactions to use the most efficient equipment and less labor. Allows respondents opportunity to game the system.
Evidence of dumped prices: Failure to exclude dumped prices to the maximum extent possible.	<ul style="list-style-type: none"> The Department’s narrow reading of the statute substitutes a requirement for a finding of dumping in place of a reason to “believe or suspect” dumping.
“Unrepresentative” prices: ITA eliminates as “unrepresentative” prices which are above average while retaining “low” prices when determining surrogate values, creating a bias in factor values found.	<ul style="list-style-type: none"> ITA’s effort to remove “aberrational” or “distortive” values is not required by statute and is done in a manner that tends to understate surrogate values.
Fully-loaded labor rate: ITA uses labor rates taken from Chapter 5 (rather than Chapter 6) of the ILO’s <i>Yearbook of Labour Statistics</i> .	<ul style="list-style-type: none"> Chapter 5 labor rates are not fully-loaded. They do not include such items as welfare fund payments, unemployment taxes, health care costs and other costs incurred by employers for employees. Chapter 6 includes significant expenses that are incurred by employers, including welfare fund payments, unemployment taxes, health care costs, and other costs.
Labor reporting: ITA limits labor reporting to the hours of workers directly or indirectly in the production of the subject merchandise.	<ul style="list-style-type: none"> The limitation of labor reporting to workers directly or indirectly involved in the production of the subject merchandise precludes ITA from capturing the full amount of labor NME producers employ in their operation and hence understates the calculation of normal value.
Market economy inputs: If a “meaningful amount” of an input is sourced from market economies, ITA will value 100% of the factor of production using the market price.	<ul style="list-style-type: none"> Assumes the NME respondent would be able to supply 100% of its needs for any given input from the market economy source, even where substantial amounts of an input are obtained from NME sources.
Respondent selection: ITA almost always selects the two or three largest exporters as mandatory respondents in an investigation.	<ul style="list-style-type: none"> Potentially results in mandatory respondents who are not representative of the overall industry, potentially resulting in unrepresentative financial ratios.

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ITA NME Practice	Problem
<p>Circumstance of sales adjustments: ITA does not grant circumstance of sales adjustments in NME sales on the belief that circumstances of sales are reflected in the surrogate financial ratios.</p>	<ul style="list-style-type: none"> • This practice overlooks circumstances in NME countries that are not reflected in the surrogate experience (e.g., willingness of Chinese respondents to allow receivables to remain uncollected, or of Chinese banks to allow loans to remain unpaid, reflect circumstances that do not occur in market economies).

III. STEPS THAT NEED TO BE TAKEN.

In the Doha Round, it is critical that the U.S. meet the trade negotiating objectives outlined by Congress in the Trade Act of 2002 with respect to redressing the overreaching of WTO dispute settlement bodies, preserving and improving the effectiveness of trade remedy laws, and addressing the prejudicial impact of border tax treatment. In each of these areas, little progress has been achieved to date and the U.S. is behind in presenting adequate papers at the Doha Rules negotiations.

Time is of the essence. The numbers of opportunities remaining for substantive Rules negotiations are limited. The Sixth Ministerial Conference will take place on December 13–18, 2005 in Hong Kong, China. The U.S. needs to make significant progress in pushing forward Congress’ trade negotiating objectives before that event. To that end, the following step should be taken.

- The Administration needs to aggressively step up its Doha Rules and DSU negotiation efforts by (1) fleshing out its initial submissions, (2) expanding the range of issues already addressed by presenting additional papers on new issues, and (3) adequately addressing and responding to the issues raised by other Members’ proposals.
- Congress should work with the Administration to push forward these issues and support achievement of its trade negotiating objectives in the Doha negotiations.
- In addition, with respect to the current lack of predictability in NME antidumping proceedings, Commerce should reexamine and reevaluate its NME antidumping practices in order to ensure more predictable results.

Successful outcomes to the Rules and DSU negotiations in the Doha Round are not only important to the continued use and efficacy of the trade remedy laws, particularly the antidumping remedy, but they are critical to maintaining usable, adequate, and effective trade remedies in order to address the challenges posed by China and to achieving a fair and balanced trade relationship with China in the future.

APPENDIX 1

**Antidumping Investigations Initiated Against Exporting Countries
January 1, 1995 to June 30, 2004**

Exporting Country	1995	1996	1997	1998	1999	2000	2001	2002	2003	Jan.- June 2004	Totals:
<i>Algeria</i>	0	0	0	0	1	0	0	1	0	0	2
<i>Argentina</i>	1	0	0	1	4	2	5	2	1	2	18
<i>Australia</i>	1	0	1	2	3	4	1	3	2	0	17
<i>Austria</i>	0	2	3	0	3	3	0	1	0	0	12
<i>Bahrain</i>	0	0	0	0	1	0	0	0	0	0	1
<i>Bangladesh</i>	0	0	0	0	0	0	1	0	0	0	1
<i>Belarus</i>	0	0	0	0	3	4	1	1	1	1	11
<i>Belgium</i>	1	2	3	3	1	0	5	1	3	0	19
<i>Bosnia Herzegovina</i>	1	0	0	0	0	0	0	0	0	0	1
<i>Brazil</i>	8	10	5	6	13	9	13	4	3	3	74
<i>Bulgaria</i>	0	3	2	1	1	1	2	0	1	0	11
<i>Canada</i>	2	1	3	3	0	1	7	5	4	1	27
<i>Chile</i>	2	2	2	2	1	6	4	4	0	0	23
<i>China, P.R.</i>	20	43	33	28	40	43	53	51	52	23	386
<i>Chinese Taipei</i>	4	9	16	10	22	16	19	16	12	14	138
<i>Colombia</i>	0	1	0	2	0	0	1	1	0	0	5
<i>Costa Rica</i>	0	0	0	2	0	0	0	0	0	0	2
<i>Croatia</i>	1	0	0	1	1	1	0	0	0	0	4
<i>Cuba</i>	0	1	0	0	1	0	0	0	0	0	2
<i>Czech Republic</i>	1	1	0	2	7	3	2	1	1	0	18
<i>Denmark</i>	1	1	0	2	2	0	0	0	0	0	6
<i>Dominican Republic</i>	0	0	0	0	0	0	1	0	0	0	1
<i>Ecuador</i>	0	0	0	0	0	0	0	1	0	1	2
<i>Egypt</i>	1	2	1	2	0	1	3	0	0	0	10
<i>Estonia</i>	0	0	1	0	0	1	1	1	0	0	4
<i>European Community</i>	0	1	2	4	7	9	9	10	10	0	52
<i>Faroe Islands</i>	0	0	0	0	0	0	0	2	0	0	2
<i>Finland</i>	0	0	1	1	2	0	1	2	2	0	9
<i>France</i>	0	4	4	10	7	2	3	2	3	0	35
<i>Georgia</i>	0	0	0	0	0	0	0	1	0	0	1
<i>Germany</i>	7	9	13	8	12	5	9	7	3	0	73
<i>Greece</i>	0	0	3	0	0	1	1	0	1	0	6
<i>Guatemala</i>	0	1	0	0	0	0	1	0	0	0	2
<i>Honduras</i>	0	0	0	1	0	0	0	0	0	0	1

**Antidumping Investigations Initiated Against Exporting Countries
January 1, 1995 to June 30, 2004**

Exporting Country	1995	1996	1997	1998	1999	2000	2001	2002	2003	Jan.- June 2004	Totals:
<i>Hong Kong</i>	1	3	2	3	2	1	3	3	0	0	18
<i>Hungary</i>	2	0	2	2	4	0	3	1	0	0	14
<i>India</i>	3	11	8	12	13	10	12	16	15	5	105
<i>Indonesia</i>	7	7	9	5	20	13	18	12	8	4	103
<i>Iran</i>	0	1	2	0	2	3	2	2	1	0	13
<i>Ireland</i>	0	0	2	1	0	0	0	0	1	1	5
<i>Israel</i>	0	1	2	1	0	1	2	0	0	0	7
<i>Italy</i>	6	5	5	5	2	5	8	3	4	0	43
<i>Japan</i>	5	6	12	13	22	9	13	13	16	4	113
<i>Jordan</i>	0	0	0	0	0	0	1	0	0	0	1
<i>Kazakstan</i>	3	1	2	4	0	3	3	6	0	0	22
<i>Korea, PDR</i>	0	0	0	0	0	0	1	0	0	0	1
<i>Korea, Rep. of</i>	14	11	15	24	34	22	23	23	17	11	194
<i>Latvia</i>	0	0	2	1	1	3	0	0	0	0	7
<i>Libya</i>	0	0	0	0	0	1	1	0	0	0	2
<i>Liechtenstein</i>	0	0	1	0	0	0	0	0	0	0	1
<i>Lithuania</i>	0	0	1	0	4	1	1	3	0	0	10
<i>Luxembourg</i>	0	0	0	0	0	0	2	0	0	0	2
<i>Macau</i>	1	0	0	0	0	0	0	1	0	0	2
<i>Macedonia</i>	1	0	1	1	1	0	2	1	0	0	7
<i>Malawi</i>	0	0	0	0	1	0	0	0	0	0	1
<i>Malaysia</i>	2	3	5	4	7	9	6	4	8	2	50
<i>Mexico</i>	3	4	2	9	4	1	4	2	4	1	34
<i>Moldova</i>	0	0	0	0	0	2	1	0	0	0	3
<i>Mozambique</i>	0	0	1	0	0	0	0	0	0	0	1
<i>Nepal</i>	0	0	0	0	0	0	2	0	0	0	2
<i>Netherlands</i>	6	1	5	3	2	3	4	1	0	0	25
<i>New Zealand</i>	1	1	0	0	2	0	3	1	0	0	8
<i>Nicaragua</i>	0	1	0	0	0	0	0	0	0	0	1
<i>Nigeria</i>	0	0	0	0	0	0	0	0	1	0	1
<i>Norway</i>	0	1	0	0	0	1	1	1	0	0	4
<i>Oman</i>	0	0	0	0	0	0	1	0	0	0	1
<i>Pakistan</i>	0	2	1	0	1	0	1	2	2	0	9
<i>Paraguay</i>	0	0	1	0	0	0	0	0	0	0	1
<i>Peru</i>	1	0	0	0	0	1	0	0	0	0	2
<i>Philippines</i>	2	0	0	0	0	1	1	1	1	0	6

**Antidumping Investigations Initiated Against Exporting Countries
January 1, 1995 to June 30, 2004**

Exporting Country	1995	1996	1997	1998	1999	2000	2001	2002	2003	Jan.- June 2004	Totals:
<i>Poland</i>	2	3	3	4	3	5	1	4	0	0	25
<i>Portugal</i>	0	2	0	2	0	1	1	0	0	0	6
<i>Qatar</i>	0	0	0	0	0	0	1	0	0	0	1
<i>Romania</i>	1	2	1	5	4	4	5	8	2	0	32
<i>Russia</i>	2	7	7	12	17	12	9	18	2	6	92
<i>Saudi Arabia</i>	0	1	0	3	2	3	1	1	2	0	13
<i>Serbia and Montenegro</i>	0	0	0	0	0	0	1	0	0	0	1
<i>Singapore</i>	2	0	4	0	5	0	12	9	1	1	34
<i>Slovak Republic</i>	0	1	1	1	3	1	2	1	0	0	10
<i>Slovenia</i>	1	0	0	1	0	0	0	0	0	0	2
<i>South Africa</i>	2	6	4	5	4	6	10	9	4	0	50
<i>Spain</i>	2	4	7	7	5	6	4	2	4	1	42
<i>Sri Lanka</i>	0	0	0	0	0	0	0	0	0	1	1
<i>Sweden</i>	1	2	5	0	1	0	2	1	0	0	12
<i>Switzerland</i>	0	2	1	0	1	0	0	0	1	0	5
<i>Thailand</i>	8	9	5	2	19	13	16	12	7	5	96
<i>Trinidad and Tobago</i>	0	0	2	0	0	0	1	0	0	0	3
<i>Turkey</i>	2	3	1	2	6	7	5	4	4	0	34
<i>Ukraine</i>	2	3	4	9	9	7	6	8	3	0	51
<i>United Arab Emirates</i>	0	0	1	0	0	2	2	0	2	1	8
<i>United Kingdom</i>	6	4	6	4	2	9	6	2	0	0	39
<i>United States</i>	12	21	15	15	14	13	15	12	21	8	146
<i>Uruguay</i>	1	0	0	0	1	0	0	0	0	1	3
<i>Uzbekistan</i>	2	0	0	0	0	0	0	0	0	0	2
<i>Venezuela</i>	0	1	1	4	2	2	4	3	1	0	18
<i>Viet Nam</i>	0	0	1	0	1	1	0	3	0	4	10
<i>Yugoslavia</i>	1	1	0	0	2	0	0	0	0	0	4
<i>Zimbabwe</i>	1	0	0	1	0	0	0	0	0	0	2
Totals	157	224	243	256	355	294	366	310	231	101	2537

Source: WTO; http://www.wto.org/english/tratop_e/adp_e/adp_statabl_e.pdf

APPENDIX 2

Illustrative List of Chinese Underselling -- HS Chapters 84 and 85:
Comparison of US Imports from China and All Other Sources
10-Digit Line Items where the China Price is more than 50% less than the All Other Price

HS Item	Commodity Description	Units	Price per Unit in \$s		China Price % less than All Other
			China	All Other Sources	

Chapter 84 Line Items

8402190000	Vapor Generating Boilers, Nesoi, Including Hybrid Boilers	metric tons	2,076.00	27,963.23	92.6%
8403100000	Central Heating Boilers	number	98.89	1,612.81	93.9%
8406904000	Parts Of Steam Turbines, Blades, Rotating Or Stationary	number	499.70	2,300.83	78.3%
8407100060	Spark-Ignition Reciprocating Or Rotary Internal Combustion Piston Engines For Civil Aircraft, Used Or Rebuilt	number	5,000.00	20,904.96	76.1%
8407290010	Spark-Ignition Reciprocating Or Rotary Internal Combustion Piston Engines For Marine Propulsion, Inboard Engines With Outboard Drive	number	178.11	762.42	76.6%
8407290040	Spark-Ignition Reciprocating Or Rotary Internal Combustion Piston Engines For Marine Propulsion, Inboard Engines With Inboard Drive, Exceeding 18.65 Kw	number	100.36	1,284.12	92.2%
8407310080	Spark-Ignition Reciprocating Piston Engines For The Propulsion Of Vehicles Of Chapter 87, Not Exceeding 50 Cc And Greater Than 746 W	number	53.44	133.16	59.9%
8407329040	Spark-Ignition Reciprocating Piston Engines For Propulsion Of Vehicles Of Chapter 87, Nesoi, Exceeding 50 But Not Exceeding 250Cc And Not Exc 18.65 Kw	number	159.58	815.25	80.4%
8407329080	Spark-Ignition Reciprocating Piston Engines For Propulsion Of Vehicles Of Chapter 87, Nesoi, Exceeding 50 But Not Exceeding 250Cc And Exceeding 18.65Kw	number	542.92	1,174.89	53.8%
8407333080	Sprk-Ignition Reciprocating Piston Engines To Be Installed In Veh Travlng On Snow, Golf Carts, Non-Amphibious All-Terrain Vehicle & Burden Carriers, New.	number	22.75	818.12	97.2%
8407340590	Spark-Ignition Reciprocating Piston Engines Except Air Cooled To Be Installed In Tractors For Agricultural Use, Not Exc 2,000 Cc, Exceeding 37.3Kw	number	84.92	347.79	75.6%
8407345500	Spark-Ignition Reciprocating Piston Engines For The Propulsion Of Vehicles Of Chapter 87, Nesoi, Exceeding 2,000 Cc	number	84.09	914.21	90.8%

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HS Item	Commodity Description	Units	Price per Unit in \$s		China Price % less than All Other
			China	All Other Sources	
8407901020	Spark-Ignition Int Comb Piston Engines, Nesoi, To Be Installed In Agricultural Or Horticultural Mach, Not Exceeding 37.3Kw But > 4,476 W	number	115.70	295.10	60.8%
8407901060	Spark-Ignition Int Comb Piston Type Air-Cooled Engines, Nesoi, To Be Installed In Agricultural Or Horticultural Machinery, Exceeding 37.3 Kw	number	116.45	378.18	69.2%
8407901080	Spark-Ignition Int Comb Piston Engines, Except Air-Cooled, Nesoi, To Be Installed In Agricultural Or Horticultural Machinery, Exceeding 37.3 Kw	number	137.84	589.11	76.6%
8407909010	Spark-Ignition Internal Combustion Piston Type Gas (Natural Or Lp) Engines	number	104.43	954.85	89.1%
8407909020	Spark-Ignition Internal Combustion Piston Type Engines, Nesoi, Less Than 746 W	number	31.29	144.26	78.3%
8407909040	Spark-Ignition Internal Combustion Piston Type Engines, Nesoi, 746 W Or Greater But Less Than 4,476 W	number	54.88	144.19	61.9%
8407909060	Spark-Ignition Internal Combustion Piston Type Engines, Nesoi, 4,476W Or Greater But Not Exceeding 18.65 Kw	number	91.09	229.36	60.3%
8407909080	Spark-Ignition Internal Combustion Piston Type Engines, Nesoi, Exceeding 18.65 Kw	number	48.03	227.70	78.9%
8408100005	Compression-Ignition Internal Combustion Piston Engines For Marine Propulsion, Not Exceeding 111.9 Kw	number	975.71	4,785.45	79.6%
8408201040	Compression-Ignition Internal Combustion Piston Engines For Propulsion Of Vehicles Of Chapter 87, To Be Installed In Tractors For Agri,Not Exc 37.3 Kw	number	35.82	1,672.16	97.9%
8408202000	Compression-Ignition Internal Combustion Piston Engines For Propulsion Of Vehicles Of Chapter 87, To Be Installed In Road Tractors,Buses,Autos,Trucks	number	104.76	6,681.58	98.4%
8408209000	Compression-Ignition Internal Combustion Piston Engines For Propulsion Of Vehiles Of Chapter 87, Nesoi	number	143.02	2,218.93	93.6%
8408901040	Compression-Ignition Internal Combustion Piston Engines,Nesoi,To Be Installed In Agricultural Or Horticultural Mach Or Equipment Not Exceeding 37.3 Kw	number	373.69	1,101.17	66.1%

Illustrative List of Chinese Underselling -- HS Chapters 84 and 85:
Comparison of US Imports from China and All Other Sources
10-Digit Line Items where the China Price is more than 50% less than the All Other Price

HS Item	Commodity Description	Units	Price per Unit in \$s		China Price % less than All Other
			China	All Other Sources	
8408901080	Compression-Ignition Internal Combustion Piston Engines, Nesoi, To Be Installed In Agricultural Or Horticultural Mach Or Equipment, Exceeding 37.3 Kw	number	293.32	5,431.11	94.6%
8408909010	Compression-Ignition Internal Combustion Piston Engines, Nesoi, Not Exceeding 149.2 Kw	number	502.96	2,111.25	76.2%
8408909040	Compression-Ignition Internal Combustion Piston Engines, Nesoi, Exceeding 746 Kw But Not Exceeding 1,119 Kw	number	762.03	17,102.43	95.5%
8409911060	Cast-Iron Parts, Not Advanced Beyond Cleaning, For Spark-Ignition (Inc Rotary) Internal Combustion Piston Engines For Marine Propulsion	kilograms	4.67	19.64	76.2%
8409915080	Parts, Exc Conn Rods, For Spark-Ignition Internal Combustion Piston Engines (Inc Rotary) For Road Tractors, Motor Buses, Automobiles Or Trucks	kilograms	4.35	8.84	50.8%
8409991080	Cast-Iron Parts, Not Advanced Beyond Cleaning, For Compression-Ignition Internal Combustion Piston Engines, Nesoi	kilograms	1.79	3.92	54.3%
8409999290	Parts, Except Connecting Rods, For Compression-Ignition Internal Combustion Piston Engines For Marine Propulsion	kilograms	5.71	16.31	65.0%
8410130000	Hydraulic Turbines And Water Wheels Of A Power Exceeding 10,000 Kw	number	11,666.67	606,992.00	98.1%
8411911060	Cast-Iron Parts, Not Advanced Beyond Cleaning, For Turbojet Or Turbopropeller Aircraft Engines For Civil-Aircraft	kilograms	108.03	288.87	62.6%
8411911090	Cast-Iron Parts, Not Advanced Beyond Cleaning, For Turbojet Or Turbopropeller Aircraft Engines, Except Civil Aircraft	kilograms	148.66	382.81	61.2%
8412210015	Linear Acting Hydraulic Motors With Tie-Rod Type Cylinders	number	56.23	169.46	66.8%
8412210045	Linear Acting Hydraulic Motors With Telescoping Type Cylinders	number	18.50	113.94	83.8%
8412210075	Linear Acting Hydraulic Motors (Cylinders), Nesoi	number	20.98	76.61	72.6%
8412294000	Hydrojet Engines For Marine Propulsion	number	44.32	241.23	81.6%
8412298060	Hydraulic Power Engines, Unlimited Rotary Acting, Nesoi	number	85.00	656.91	87.1%

Illustrative List of Chinese Underselling -- HS Chapters 84 and 85:
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HS Item	Commodity Description	Units	Price per Unit in \$s		China Price % less than All Other
			China	All Other Sources	
8412310040	Linear Acting Pneumatic Motors (Cylinders), Tie-Rod Type	number	34.33	120.17	71.4%
8412310080	Linear Acting Pneumatic Motors (Cylinders), Nesoi	number	18.23	56.11	67.5%
8412390080	Pneumatic Power Engines And Motors, Nesoi	number	68.10	153.01	55.5%
8413110000	Pumps For Dispensing Fuel Or Lubricants, Type Used In Filling-Stations Or Garages	number	14.27	58.17	75.5%
8413301000	Fuel-Injection Pumps For Compression-Ignition Engines	number	16.43	58.99	72.1%
8413309030	Fuel Pumps, Except Fuel-Injection, For Internal Combustion Piston Engines	number	6.57	22.23	70.4%
8413400000	Concrete Pumps	number	112.71	872.14	87.1%
8413500010	Oil Well And Oil Field Pumps, Reciprocating Positive Displacement	number	3,617.44	16,019.33	77.4%
8413500050	Diaphragm Pumps, Reciprocating Positive Displacement	number	34.42	154.12	77.7%
8413500070	Hydraulic Fluid Power Pumps, Radial Piston Type	number	40.42	341.81	88.2%
8413500080	Hydraulic Fluid Power Pumps, Nesoi	number	18.01	464.50	96.1%
8413500090	Reciprocating Positive Displacement Pumps, Nesoi	number	37.79	199.85	81.1%
8413600040	Hydraulic Fluid Power Pumps, Rotary Positive Displacement, Nesoi	number	29.52	120.13	75.4%
8413600050	Oil Well And Oil Field Pumps, Rotary Positive Displacement	number	1,109.32	3,216.15	65.5%
8413600070	Roller Pumps, Rotary Positive Displacement	number	31.78	595.88	94.7%
8413600090	Rotary Positive Displacement Pumps, Nesoi	number	8.63	45.92	81.2%
8413702004	Submersible Pumps, Centrifugal	number	11.85	89.07	86.7%
8413702025	Centrifugal Pumps For Liquids, Single-Stage, Single-Suction, Frame-Mounted, With Discharge Outlet 7.6 Cm Or Over In Diameter	number	163.94	718.35	77.2%
8413702090	Centrifugal Pumps For Liquids, Nesoi	number	10.90	30.94	64.8%
8413810030	Household Water Systems, Self-Contained	number	6.02	58.91	89.8%
8413810040	Pumps For Liquids, Nesoi	number	4.33	14.60	70.4%
8414100000	Vacuum Pumps	number	5.88	90.50	93.5%

Illustrative List of Chinese Underselling -- HS Chapters 84 and 85:
Comparison of US Imports from China and All Other Sources
10-Digit Line Items where the China Price is more than 50% less than the All Other Price

HS Item	Commodity Description	Units	Price per Unit in \$s		China Price % less than All Other
			China	All Other Sources	
8414308060	Compressors, Refrigerating And Air-Conditioning, Except Ammonia, Exceeding 1 Hp But Not Exceeding 3 Hp	number	25.66	84.32	69.6%
8414308080	Compressors, Refrigerating And Air-Conditioning, Except Ammonia, Exceeding 10 Hp	number	32.07	136.05	76.4%
8414400000	Air Compressors Mounted On A Wheeled Chassis For Towing	number	43.37	112.36	61.4%
8414591000	Blowers For Pipe Organs	number	12.58	179.59	93.0%
8414593000	Turbochargers And Superchargers Of Fans Nesoi	number	35.51	469.16	92.4%
8414596040	Fans Nesoi Suitable For Use With Motor Vehicles	number	6.68	21.02	68.2%
8414596060	Fans, Nesoi, Centrifugal	number	7.91	42.96	81.6%
8414596090	Fans, Nesoi, Axial	number	3.51	9.70	63.8%
8414596095	Fans, Nesoi	number	3.86	9.87	60.9%
8414600000	Hoods Having A Maximum Horizontal Side Not Exceeding 120 Cm	number	12.88	127.49	89.9%
8414800500	Air Compressors, Turbochargers And Superchargers	number	61.30	282.26	78.3%
8414801605	Air Compressors, Other Than Turbochargers And Superchargers, Stationary, Reciprocating, Not Exceeding 746W	number	22.36	61.21	63.5%
8414801615	Air Compressors, Other Than Turbochargers And Superchargers, Stationary, Reciprocating, Exceeding 746 W But Not Exceeding 4.48Kw	number	52.45	187.67	72.1%
8414801625	Air Compressors, Nesoi, Stationary, Reciprocating, Exceeding 4.48 Kw But Not Exceeding 8.21 Kw	number	234.83	722.74	67.5%
8414801645	Air Compressors, Nesoi, Stationary, Reciprocating, Exceeding 19.4 Kw But Not Exceeding 74.6 Kw	number	108.00	747.94	85.6%
8414801655	Air Compressors, Other Than Turbochargers And Superchargers, Stationary, Reciprocating, Exceeding 74.6Kw	number	113.91	1,092.47	89.6%
8414801660	Air Compressors, Other Than Turbochargers And Superchargers, Stationary, Rotary, Not Exceeding 11.19Kw	number	11.39	152.19	92.5%

Illustrative List of Chinese Underselling -- HS Chapters 84 and 85:
Comparison of US Imports from China and All Other Sources
10-Digit Line Items where the China Price is more than 50% less than the All Other Price

HS Item	Commodity Description	Units	Price per Unit in \$s		China Price % less than All Other
			China	All Other Sources	
8414801680	Air Compressors, Other Than Turbochargers And Superchargers, Stationary, Other Than Reciprocating And Rotary	number	25.48	60.49	57.9%
8414801685	Air Compressors, Other Than Turbochargers And Superchargers, Portable,Lt 0.57 Cub Meter S Per Minute	number	14.19	65.21	78.2%
8414801690	Air Compressors, Other Than Turbochargers And Superchargers, Portable, Nesoi	number	25.45	135.95	81.3%
8414802065	Compressors, Nesoi, Including Reciprocating And Rotary, Exceeding 186.5 Kw But Not Exceeding 746 Kw	number	16,847.50	48,282.09	65.1%
8414802075	Compressors, Nesoi, Including Reciprocating And Rotary, Exceeding 746 Kw	number	3,104.74	118,657.30	97.4%
8414809000	Air Or Vacuum Pumps, Air Or Other Gas Compressors And Fans	number	2.94	24.28	87.9%
8415103080	Air-Conditioners, Window Or Wall Type, Self-Contained, 4.98 Kw/Hr Or Greater (17000 Btu/Hr)	number	125.34	255.35	50.9%
8415200000	Automotive Air Conditioners	number	57.73	139.57	58.6%
8415810110	Air-Conditioners, Incorporating A Refrigerating Unit And A Valve For Reversal Of The Cooling/Heat Cycle,Self-Contain, Not Exceeding 17.58 Kw/Hr, Nesoi	number	178.30	360.50	50.5%
8415810120	Air-Conditioners, Incorporating A Refrigerating Unit And A Valve For Reversal Of The Cooling/Heat Cycle, Self-Contained, Exceeding 17.58Kw/Hr, Nesoi	number	160.00	2,949.90	94.6%
8415810130	Air-Conditioners, Incorporating A Refrigerating Unit And A Valve For Reversal Of The Cooling/Heat Cycle, Except Self-Contained, Nesoi	number	182.75	569.28	67.9%
8415820105	Air-Conditioners, Self-Contained Machines And Remote Condenser Type, Other Than Year-Round Units, Not Exceeding 17.58 Kw/Hr (60000 Btu/Hr), Nesoi	number	184.96	420.09	56.0%
8415820110	Air-Conditioners, Self-Contained Machines And Remote Condenser Type, Other Than Year-Round Units, Exceeding 17.58 Kw/Hr (60000 Btu/Hr), Nesoi	number	144.01	1,379.00	89.6%
8415820135	Central Station Air Handlers For Use With Water Chillers	number	425.33	10,239.56	95.8%

Illustrative List of Chinese Underselling -- HS Chapters 84 and 85:
Comparison of US Imports from China and All Other Sources
10-Digit Line Items where the China Price is more than 50% less than the All Other Price

HS Item	Commodity Description	Units	Price per Unit in \$s		China Price % less than All Other
			China	All Other Sources	
8415820155	Dehumidifiers Incorporating A Refrigerating Unit, Water Removal Capacity Less Than 35 Liters Over A 24 Hour Period	number	84.21	202.06	58.3%
8415820160	Dehumidifiers Incorporating A Refrigerating Unit, Water Removal Capacity Of 35 Liters And More Over A 24 Hour Period	number	74.62	2,137.89	96.5%
8415820170	Air Conditioning Machines Incorporating A Refrigerating Unit, Nesoi	number	175.06	613.32	71.5%
8415830050	Condensing Units Not Exceeding 17.58 Kw/Hr, Not Incorporating A Refrigerating Unit	number	66.72	163.62	59.2%
8415830070	Heat Exchangers, Not Incorporating A Refrigerating Unit, Nesoi	number	23.21	560.89	95.9%
8415830090	Air Conditioning Machines Not Incorporating A Refrigerating Unit, Nesoi	number	200.76	839.77	76.1%
8415908025	Air Conditioning Evaporator Coils Incorporating A Refrigerating Unit	number	28.89	70.09	58.8%
8417100000	Furnaces & Ovens For Roasting, Melting Or Other Heat Treatment Of Ores, Pyrites Or Of Metals, Industrial Or Laboratory, Nonelectric	number	161.09	1,893.67	91.5%
8417800000	Industrial Or Laboratory Furnaces And Ovens, Including Incinerators, Nonelectric, Nesoi	number	456.35	8,493.62	94.6%
8418100010	Refrigerator-Freezers Combined, Fitted With Seperate External Doors, Compression Type, Volume Under 184 Liters	number	104.69	247.80	57.8%
8418100020	Refrigerator-Freezers Combined, Fitted With Seperate External Doors, Compression Type, Volume Of 184 Liters And Over But Under 269 Liters	number	107.87	228.74	52.8%
8418100040	Refrigerator-Freezers Combined, Fitted With Seperate External Doors, Compression Type, Volume Of 382 Liters And Over	number	190.15	469.40	59.5%
8418100090	Refrigerator-Freezers Combined, Fitted With Seperate External Doors, Except Compression Type	number	111.50	459.36	75.7%
8418210090	Refrigerators, Household, Compression Type, Volume Of 382 Liters And Over	number	179.29	459.53	61.0%
8418220000	Refrigerators, Household, Absorption Type, Electrical	number	63.88	272.50	76.6%
8418290000	Refrigerators, Household Type, Nesoi	number	26.08	434.13	94.0%
8418300000	Freezers, Chest Type, Capacity Not Exceeding 800 Liters	number	80.58	217.72	63.0%

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HS Item	Commodity Description	Units	Price per Unit in \$s		China Price % less than All Other
			China	All Other Sources	
8418400000	Freezers, Upright Type, Capacity Not Exceeding 900 Liters	number	110.17	248.61	55.7%
8418500040	Freezing Display Counters, Cabinets, Showcases And The Like	number	126.74	599.97	78.9%
8418500080	Refrigerating Display Counters, Cabinets, Showcases And The Like	number	143.81	419.91	65.8%
8418610010	Compression Type Self-Contained Cube And Flake Ice-Making Makings With A Capacity Not Exceeding 227 Kg	number	170.59	743.47	77.1%
8418610025	Compression Type Soda Fountain And Beer Dispensing Refrigerating Equipment	number	184.10	672.97	72.6%
8418610075	Compression Type Refrigerating Or Freezing Equipment, Except Household, Nesoi	number	39.93	1,213.62	96.7%
8418690055	Absorption Liquid Chilling Units	number	2,142.98	6,522.09	67.1%
8418690085	Refrigerating Or Freezing Equipment, Except Household, Nesoi	number	28.46	812.67	96.5%
8419110000	Instantaneous Gas Water Heaters	number	66.45	169.37	60.8%
8419190040	Solar Water Heaters	number	194.25	479.84	59.5%
8419200000	Medical, Surgical Or Laboratory Sterilizers	number	52.33	3,323.92	98.4%
8419390180	Dryers For The Treatment Of Materials By A Process Involving A Change In Temperature, Nesoi	number	341.98	1,388.82	75.4%
8419505000	Heat Exchange Units, Nesoi	number	69.21	415.98	83.4%
8419605000	Machinery For Liquefying Air Or Gas, Nesoi	number	519.61	1,986.14	73.8%
8419815080	Industrial Cooking Stoves, Ranges And Ovens For Cooking Or Heating Food, Nesoi	number	16.08	572.37	97.2%
8419819040	Industrial Machinery Or Equipment Of A Type Used In Restaurants, Hotels Or Similar Locations For Making Hot Drinks Or For Cooking, Heating Food, Nesoi	number	14.83	381.67	96.1%
8419819080	Industrial Machinery Or Equipment For Making Hot Drinks Or For Cooking Or Heating Food, Nesoi	number	34.28	95.19	64.0%
8419891000	Industrial Machinery, Plant Or Equipment For Making Paper Pulp, Paper Or Paperboard, Nesoi, Involving A Change In Temperature	number	829.59	5,019.08	83.5%
8419899520	Industrial Machinery, Plant Or Equipment Designed For Cooling Food And Beverages	number	20.98	604.82	96.5%

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			China	All Other Sources	
8419899560	Industrial Machinery, Plant Or Equipment For The Treatment Of Food And Beverages, Involving A Change In Temperature, Nesoi	number	22.89	3,485.30	99.3%
8419899580	Parts Of Machinery, Plant Or Laboratory Equipment For The Treatment Of Materials By A Process Involving A Change Of Temperature, Nesoi	number	216.31	578.47	62.6%
8419899585	Industrial Machinery, Plant Or Equipment For The Treatment Of Materials, Involving A Change In Temperature, Nesoi	number	11.49	329.06	96.5%
8420102000	Calendering Or Similar Rolling Machines For Making Paper Pulp, Paper Or Paperboard	number	29,640.00	220,224.49	86.5%
8420109040	Calendering Or Other Rolling Machines For Rubber And Plastics	number	3,671.96	10,734.32	65.8%
8420919000	Cylinders, Nesoi, For Rolling Machines, Other Than For Metals Or Glass	number	118.57	602.98	80.3%
8421110000	Cream Separators	number	95.63	1,322.56	92.8%
8421120000	Clothes-Dryers, Centrifugal	number	141.49	303.90	53.4%
8421199000	Centrifuges, Other, Incl Dryer	number	176.79	1,566.11	88.7%
8421210000	Water Filtering Or Purifying Machinery And Apparatus	number	4.43	21.96	79.8%
8421220000	Beverage Filtering Or Purifying Machinery And Apparatus	number	16.66	81.06	79.4%
8421290015	Oil-Separation Equipment For Filtering Or Purifying Liquid	number	6.94	33.60	79.4%
8422110000	Dishwashing Machines, Household Type	number	122.20	425.43	71.3%
8422190000	Dishwashing Machines, Except Household Type	number	556.47	1,752.94	68.3%
8422309120	Container Labeling Machines	number	51.68	2,847.09	98.2%
8422309130	Vacuum Or Gas Packaging Machines For Filling, Whether Or Not Capable Of Performing Other Operations	number	3,455.11	73,556.58	95.3%
8422309150	Vacuum Or Gas Packaging Machines Which Perform Only Operations Of Capping, Lidding, Sealing Or Closing	number	22.10	477.62	95.4%
8422309170	Machines For Filling, Closing, Sealing, Capsuling Or Labeling Bottles, Cans Or Similar Containers, Nesoi	number	87.31	1,877.95	95.4%

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			China	All Other Sources	
8422309180	Machines For Opening, Filling And Closing Bags	number	19.55	219.23	91.1%
8422309190	Machinery For Filling, Closing, Sealing, Capsuling Or Labeling Boxes, Bags Or Similar Containers, Nesoi	number	1.81	97.56	98.1%
8422401110	Machines For Wrapping Candy	number	636.47	9,079.30	93.0%
8422401190	Machines For Packaging Pipe Tobacco, Wrapping Cigarette Packages And Combination Candy Cutting And Wrapping Machines	number	982.60	56,392.76	98.3%
8422409140	Strapping Machines	number	205.05	865.98	76.3%
8422409180	Packing Or Wrapping Machinery, Nesoi	number	2,573.91	6,849.81	62.4%
8423100010	Digital Electronic Type Personal Weighing Machines, Including Baby And Household Scales	number	9.98	36.63	72.7%
8423100060	Personal Weighing Machines, Including Baby And Household Scales, Nesoi	number	3.77	17.14	78.0%
8423200000	Scales For Continuous Weighing Of Goods On Conveyors	number	41.04	500.90	91.8%
8423300000	Constant-Weight Scales And Scales For Discharging A Predetermined Weight Of Material Into A Bag Or Container, Including Hopper Scales	number	37.74	1,051.84	96.4%
8423810020	Digital Electronic Type Retail Scales, Non-Computing, Having A Maximum Weighing Capacity Not Exceeding 30 Kg	number	25.56	100.81	74.6%
8423810030	Digital Electronic Type Retail Scales, Computing, Having A Maximum Weighing Capacity Not Exceeding 30 Kg	number	109.78	422.30	74.0%
8423810040	Digital Electronic Type Scales, Having A Maximum Weighing Capacity Not Exceeding 30 Kg, Nesoi	number	18.28	69.85	73.8%
8423810050	Weighing Machines Having A Maximum Weight Capacity Not Exceeding 30 Kg, Except Digital, Nesoi	number	7.92	29.65	73.3%
8423890010	Digital Electronic Type Weighing Machines, Nesoi	number	56.37	810.86	93.0%
8423890050	Weighing Machines, Nesoi	number	69.35	1,051.31	93.4%
8423900040	Digital Weight Indicators	number	21.89	46.08	52.5%

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			China	All Other Sources	
8424301000	Sand Blasting Machines	number	63.77	1,843.24	96.5%
8424819010	Self-Propelled, Center Pivot, Irrigation Equipment	number	1,706.74	4,805.03	64.5%
8424819040	Agricultural Or Horticultural, Sprayers Self Contained, Having A Capacity Not Over 20 Liters	number	1.95	26.15	92.6%
8424893000	Spraying Appliances Designed For Etching, Striping Or Cleaning Semiconductor Wafers	number	8,000.00	35,197.64	77.3%
8424895000	Spraying Apps F/Dvlp Semi Wfrs	number	13.36	53.89	75.2%
8425110000	Pulley Tackle And Hoists, Other Than Skip Hoists Or Hoists Of A Kind Used For Raising Vehicles, Powered By Electric Motor	number	43.40	165.91	73.8%
8425190000	Pulley Tackle And Hoists, Other Than Skip Hoists Or Hoists Of A Kind Used For Raising Vehicles, Not Powered By Electric Motor	number	5.23	35.62	85.3%
8425310000	Winches And Capstans Powered By Electric Motors	number	50.56	207.88	75.7%
8425390000	Winches And Capstans Not Powered By Electric Motors	number	7.07	21.28	66.8%
8425410000	Built-In Jacking Systems Of A Type Used In Garages	number	56.17	188.47	70.2%
8425420000	Jacks And Hoists, Hydraulic, Except Built-In Jacking Systems Used In Garages	number	22.12	83.19	73.4%
8426190000	Overhead Traveling Cranes, Transporter Cranes, Gantry And Bridge Cranes, Mobile Lifting Frames And Straddle Carries, Nesoi	number	136.36	68,950.30	99.8%
8426200000	Tower Cranes	number	642.88	20,259.18	96.8%
8426910000	Lifting Machinery Designed For Mounting On Road Vehicles	number	5,785.00	18,290.53	68.4%
8426990000	Lifting Machinery, Nesoi	number	64.38	3,713.58	98.3%
8427108090	Self-Propelled Fork-Lift And Other Works Trucks Fitted With Lifting Equipment, Powered By An Electric Motor, Nesoi	number	2,301.30	5,019.50	54.2%
8427204000	Rider-Type, Counterbalanced Fork-Filt Trucks Of Other Self-Propelled Trucks	number	9,943.20	21,563.13	53.9%
8427208000	Other Self-Propelled Trucks, Other Than Rider-Type	number	4,401.16	33,413.44	86.8%
8427900000	Fork-Lift And Other Works Trucks Fitted With Lifting Equip, Nesoi	number	122.95	574.91	78.6%

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			China	All Other Sources	
8428200010	Conveyors, Pneumatic	number	1,383.03	7,042.16	80.4%
8428200050	Elevators, Pneumatic	number	1,426.27	8,311.02	82.8%
8428390000	Continuous-Action Elevators And Conveyors, For Goods Or Materials, Nesoi	number	38.72	1,278.38	97.0%
8428900010	Industrial Robots For Lifting, Handling, Loading Or Unloading	number	121.95	18,082.34	99.3%
8428900020	Oil And Gas Field Machinery For Lifting, Handling, Loading Or Unloading	number	1,367.04	2,881.54	52.6%
8428900090	Machinery For Lifting, Handling, Loading Or Unloading, Nesoi	number	27.22	252.21	89.2%
8429110010	Bulldozers And Angledozer, Self-Propelled, Track Laying, New	number	7,146.11	89,877.82	92.0%
8429190010	Bulldozers And Angledozer, Self-Propelled, New, Except Track Laying	number	6,522.44	60,142.76	89.2%
8429400020	Tamping Machines And Road Rollers, Vibratory, New	number	2,244.35	9,632.76	76.7%
8429511005	Integral Tractor Shovel Loaders, Rear Engine Mounted, 2 Wheel Drive, New	number	1,914.11	11,400.74	83.2%
8429511015	Integral Tractor Shovel Loaders, Rear Engine Mounted, 4 Wheel Drive With A Bucket Capacity Of Under 1.5 M3, New	number	2,700.00	42,479.88	93.6%
8429511025	Integral Tractor Shovel Loaders, Rear Engine Mounted, 4 Wheel Drive With A Bucket Capacity Of 1.5 M3 But Under 2.2 M3	number	12,992.00	46,048.02	71.8%
8429511060	Front-End Shovel Loaders, Wheel Type, New, Nesoi	number	1,714.12	32,083.59	94.7%
8429511065	Front-End Shovel Loaders, Wheel Type, Used Or Rebuilt	number	12,794.00	46,800.77	72.7%
8429515010	Front-End Shovel Loaders, Less Than 44.7 Kw, New, Except Wheel Type	number	8,500.00	28,023.00	69.7%
8429521030	Backhoes, Shovels, Clamshells And Draglines With A 360 Degree Revolving Superstructure, Hydraulic, Except Crawler Mounted, New	number	8,301.17	100,161.18	91.7%
8429521050	Backhoes, Shovels, Clamshells And Draglines With A 360 Degree Revolving Superstructure, Used Or Rebuilt	number	1,850.00	28,762.23	93.6%
8429525010	Mechanical Shovels, Excavators And Shovel Loaders With A 360 Degree Rvolving Superstructure, New, Nesoi	number	2,579.11	28,387.40	90.9%

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			China	All Other Sources	
8429591030	Backhoes, New, Except 360 Degree Revolving Superstructure	number	1,982.65	32,239.11	93.9%
8429591060	Shovels, Clamshells And Draglines, New, Except 360 Degree Revolving Superstructures	number	204.41	24,988.88	99.2%
8429591090	Used Or Rebuilt Excavating Machines	number	1,850.00	16,915.63	89.1%
8429595060	Mechanical Shovels, Excavators And Shovel Loaders, Except 360 Degree Revolving Superstructures, New, Nesoi	number	4,246.10	27,481.17	84.5%
8430390040	Rock Breaking Machines, Except Self-Propelled	number	2,795.00	8,757.30	68.1%
8430410000	Boring Or Sinking Machinery, Self-Propelled	number	823.02	153,367.29	99.5%
8430494000	Offshore Oil And Natural Gas Drilling And Production Platforms	kilograms	4.39	17.99	75.6%
8430498020	Boring Or Sinking Machinery For Oil Well And Gas Field Drilling, Nesoi	number	267.44	12,983.80	97.9%
8430498050	Boring Or Sinking Machinery, Nesoi	number	1,119.52	20,481.55	94.5%
8430505000	Moving, Grading, Leveling, Scraping, Excavating, Extracting Machinery For Earth, Minerals Or Ores, Self-Propelled, Nesoi	number	14,673.31	54,965.15	73.3%
8430690100	Moving, Grading, Leveling, Scraping, Excavating, Extracting Machinery For Earth, Minerals Or Ores, Not Self-Propelled, Nesoi	number	205.22	5,130.35	96.0%
8431410020	Shovel Attachments	number	67.62	412.09	83.6%
8431410060	Dragline Buckets	number	102.81	1,312.93	92.2%
8431410080	Buckets, Shovels, Grabs And Grips, Nesoi	number	28.86	248.31	88.4%
8431420000	Bulldozer Or Angledozer Blades	number	63.74	1,709.92	96.3%
8431438020	Prts Oil/ Gas Mach.	number	10.38	146.69	92.9%
8431499005	Backhoe Attachments For Mounting On Machinery	number	486.66	1,214.79	59.9%
8431499015	Rippers And Rooters For Mounting On Machinery	number	62.60	1,716.11	96.4%
8432100060	Plows, Nesoi	number	203.51	3,046.48	93.3%
8432290040	Cultivators, Tractor Drawn Or For Tractor Mounting	number	37.07	802.84	95.4%
8432290080	Cultivators, Weeders And Hoes, Nesoi	number			79.8%

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			China	All Other Sources	
			112.57	558.49	
8432290090	Harrows And Scarifiers, Nesoi	number	113.86	615.91	81.5%
8432300010	Planters And Transplanters	number	78.68	12,754.98	99.4%
8432400000	Manure Spreaders And Fertilizer Distributors	number	10.32	314.45	96.7%
8432800000	Agricultural, Horticultural Or Forestry Machinery For Soil Preparation Or Cultivation	number	32.96	1,909.00	98.3%
8433110010	Electric Mowers, Including Battery Operated, Powered, With The Cutting Device Rotating In A Horizontal Plane	number	52.88	126.64	58.2%
8433110050	Lawnmowers, Other Than Riding, Under 7.5 Kw	number	28.00	204.40	86.3%
8433190010	Greens Mowers	number	19.75	1,763.02	98.9%
8433190020	Mowers, Gang Cutting Units	number	82.50	12,394.07	99.3%
8433190040	Mowers, Non Riding, Gasoline Powered, For Lawns, Parks, Or Sports Grounds, Nesoi	number	223.57	807.86	72.3%
8433190050	Mowers For Lawn, Parks Or Sports Grounds, Nesoi Vice Rotating In A Horizontal Plane, Under 3.7 Kw, Nesoi	number	36.32	513.96	92.9%
8433200020	Mowers, Rotary Cutter Type, Tractor Drawn Or For Tractor Mounting	number	521.60	2,267.10	77.0%
8433200040	Mowers, Tractor Drawn Or For Tractor Mounting, Except Rotary Cutter Type	number	296.99	3,344.28	91.1%
8433400000	Straw Or Fodder Balers, Including Pick-Up Balers	number	1,078.38	8,375.13	87.1%
8433590090	Harvesting Machinery Or Threshing Machinery, Nesoi	number	81.53	13,518.92	99.4%
8433600090	Machines For Cleaning, Sorting Or Grading Fruit Or Other Agricultural Produce	number	11,100.00	61,371.47	81.9%
8434100000	Milking Machines	number	2.58	30.62	91.6%
8435100000	Presses, Crushers And Similar Machinery, Used In The Manufacture Of Wines Cider, Fruit Juices Or Similar Beverages	number	38.71	331.50	88.3%
8436290000	Poultry-Keeping Machinery	number	2.04	65.28	96.9%
8436800090	Agricultural, Horticultural Machinery, Including Germination Plant Fitted With Mechanical Or Thermal Equipment, Nesoi	number	20.95	150.90	86.1%

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8437100000	Machines For Cleaning, Sorting Or Grading Seed, Grain Or Dried Leguminous Vegetables	number	91.43	217.27	57.9%
8438100010	Bakery Machinery	number	469.93	1,548.50	69.7%
8438100090	Machinery For The Manufacture Of Macaroni Or Similar Products	number	13.43	447.68	97.0%
8438500010	Meat-And Poultry-Packing Plant Machinery	number	132.45	366.99	63.9%
8438500090	Machinery For The Preparation Of Meat Or Poultry, Nesoi	number	38.42	182.30	78.9%
8438800000	Mach For Indust Preparation Or Manuf Of Food Or Drink, Other Than Mach For The Extract Or Preparat Of Animal Or Fixed Veg Fats Or Oils, Nesoi	number	86.65	1,264.39	93.1%
8439100010	Machinery For Making Pulp Of Fibrous Cellulosic Material, New	number	31,666.67	67,312.59	53.0%
8440100000	Bookbinding Machinery, Including Book-Sewing Machines	number	87.47	816.76	89.3%
8441100000	Cutting Machines For Paper Products	number	7.71	696.01	98.9%
8441200000	Machines For Making Bags, Sacks Or Envelopes	number	14,140.00	100,442.21	85.9%
8441300000	Machines For Making Cartons, Boxes, Cases, Tubes, Drums Or Similar Containers, Other Than By Molding	number	28,842.02	140,852.18	79.5%
8441400000	Machines For Molding Articles In Paper Pulp, Paper Or Paperboard	number	2,801.57	12,356.39	77.3%
8442200000	Machinery, Apparatus And Equipment For Typesetting Or Composing By Other Processes, With Or Without Founding Devices	number	66.13	11,309.17	99.4%
8442300000	Machinery,Apparatus And Equipment,Nesoi,For Preparing Or Making Printing Blocks, Plates, Cylinders Or Other Printing Components	number	640.72	17,155.67	96.3%
8442501010	Printing Plates, Planed, Grained, Polished Or Othwise Prepared For Engraving Or Impressing	number	1.24	6.07	79.5%
8442509010	Printing Blocks, Cylinders And Other Printing Components,Except Plates, Planed, Grained, Polished Or Otherwise Prepared For Engraving Or Impressing	number	186.67	1,699.35	89.0%

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8442509090	Printing Blocks, Cylinders And Other Printing Components, Prepared For Printing, Nesoi	number	44.41	109.36	59.4%
8443115000	Reel-Fed Offset Printing Machinery, Nesoi	number	81,317.04	163,365.22	50.2%
8443120000	Sheet-Fed, Office Type (Sheet Size Not Exceeding 22X36 Cm), Offset Printing Machinery	number	7,500.00	50,051.06	85.0%
8443191000	Offset Printing Machinery, Except Reel-Fed And Sheet-Fed, Weighing 900 Kg Or Less	number	1,579.63	11,131.15	85.8%
8443199000	Offset Printing Machinery, Weighing 1600 Kg Or More, Nesoi	number	50,833.33	506,767.45	90.0%
8443300000	Flexographic Printing Machinery	number	6,782.92	145,928.03	95.4%
8445130000	Drawing Or Roving Machines For Preparing Textile Fibers	number	18.20	35,295.71	99.9%
8445190040	Cotton Gins	number	7.31	45,350.00	100.0%
8445200000	Textile Spinning Machines	number	800.00	6,637.11	87.9%
8446100010	Power Looms For Weaving Fabrics Of A Width Not Exceeding 30 Cm	number	2.53	27,167.47	100.0%
8446100090	Weaving Machines (Looms) For Weaving Fabrics Of A Width Not Exceeding 30 Cm, Nesoi	number	1,368.09	3,474.19	60.6%
8446305030	Weaving Machines For Weaving Fabrics Of A Width Exceeding 30 Cm, Shuttleless Type, Except Power Looms, Nesoi	number	2,154.77	43,857.36	95.1%
8447119020	Cylinder And Dial Knitting Machines, Circular, With Cylinder Diameter Not Exceeding 165 Mm, Nesoi	number	3,675.00	43,885.57	91.6%
8447119090	Circular Knitting Machines, With Cylinder Diameter Not Exceeding 165 Mm, Nesoi	number	4,000.00	27,616.27	85.5%
8447129090	Circular Knitting Machines, With A Cylinder Diameter Exceeding 165 Mm, Nesoi	number	6,700.00	18,707.05	64.2%
8447202000	V-Bed Flat Knitting Machines, Power Driven Flat Knitting Machines Over 50.8 Cm In Width	number	156.46	69,858.42	99.8%
8447203000	V-Bed Flat Knitting Machines, Nesoi	number	166.99	11,445.04	98.5%
8447206000	Flat Knitting Machines, Nesoi	number	229.17	2,143.14	89.3%
8447909000	Knitting Machines, And Mach For Making Gimped Yarn, Tulle, Lace, Trimmings, Or Net And Machines For TuftIng, Nesoi	number	83.91	389.16	78.4%

Illustrative List of Chinese Underselling -- HS Chapters 84 and 85:
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10-Digit Line Items where the China Price is more than 50% less than the All Other Price

HS Item	Commodity Description	Units	Price per Unit in \$s		China Price % less than All Other
			China	All Other Sources	
8448511000	Latch Needles For Knitting Machines	thousand units	51.31	299.31	82.9%
8450110040	Washing Machines, Except Coin Operated, Fully Automatic, Dry Linen Capacity Not Exceeding 10 Kg, Household Or Laundry Type, Top Loading	number	114.18	285.54	60.0%
8450110080	Washing Machines, Except Coin Operated, Fully Automatic, Dry Linen Capacity Not Exceeding 10 Kg, Household Or Laundry Type Other Than Top Load	number	207.71	420.36	50.6%
8450190000	Washing Machines, Dry Linen Capacity Not Exceeding 10 Kg, Household Or Laundry-Type, Nesoi	number	31.35	91.54	65.8%
8451290090	Drying Machines, Nesoi	number	12.78	395.43	96.8%
8451300000	Ironing Machines And Presses (Including Fusing Presses)	number	20.53	275.37	92.5%
8451500000	Machines For Reeling, Unreeling, Folding, Cutting Or Pinking Textile Fabrics	number	923.80	8,262.86	88.8%
8451800000	Machinery Of Heading 8451, Nesoi	number	2,941.23	13,034.84	77.4%
8452100010	Sewing Machines, Household Type, Valued Not Over \$20 Each	number	1.97	17.03	88.4%
8452100090	Sewing Machines, Household Type, Valued Over \$20 Each	number	70.10	194.98	64.0%
8452211000	Sewing Machines, Automatic Units, Specially Designed To Join Footwear Soles To Uppers	number	179.43	3,817.88	95.3%
8452219000	Sewing Machines, Automatic Units, Nesoi	number	469.75	1,485.97	68.4%
8452291000	Sewing Machines, Except Automatic Units, Specially Designed To Join Footwear Soles To Uppers	number	350.77	1,326.16	73.5%
8452299000	Sewing Machines, Nesoi	number	89.59	447.40	80.0%
8452300000	Sewing Machine Needles	thousand units	32.73	138.08	76.3%
8454200010	Ingot Molds For Steel Ingots	number	948.42	3,967.16	76.1%
8454300010	Die Casting Machines	number	2,381.37	40,053.75	94.1%
8454300090	Casting Machines Except Die Casting	number	229.07	3,388.01	93.2%
8455210000	Hot Or Combination Hot And Cold Rolling Mills Except Tube Rolling	number	3,229.66	18,711.18	82.7%

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8455300035	Cast Steel Rolls For Rolling Mills Not Exceeding 2,268 Kg	number	2,190.12	5,371.43	59.2%
8455300085	Rolls For Rolling Mills Exceeding 6,803.9 Kg, Nesoi	number	8,817.00	20,215.79	56.4%
8455904000	Castings Or Weldments, Individually Weighing Less Than 90 Tons, For The Machines Of Heading 8455	kilograms	1.48	6.72	78.0%
8456101020	Machine Tools For Working Metal, By Laser Or Other Light Or Photon Beam Processes, Except Numerically Controlled	number	27,775.00	74,953.34	62.9%
8456106000	Mch Tl,Oth,Lsr,Prd Smcndr Wfr	number	20,120.00	255,573.86	92.1%
8456108000	Mach Tool Oth, Laser Operated	number	20,484.75	55,824.61	63.3%
8456993040	Machine Tools For Working Metal, By Electro Beam Or Plasma Arc Process, Numerically Controlled	number	2,962.00	67,992.94	95.6%
8456997000	Mch Tl Oth,F/Strip/Cln Smi Wfr	number	20,500.00	66,288.58	69.1%
8457100070	Machining Centers With Automatic Tool Changers, Other Than Horizontal-Spindle And Vertical-Spindle	number	29,634.00	295,995.50	90.0%
8457100075	Machining Centers, Without Automatic Tool Changers	number	6.12	250,106.34	100.0%
8458110030	Horizontal Lathes, Except Multiple Spindle, Metal Removing, With A Power Rating Of Less Than 18.65 Kw, Numerically Controlled, New	number	11,851.50	79,083.55	85.0%
8458110050	Horizontal Lathes, Except Multiple Spindle, Metal Removing, With A Power Rating Of 18.65 Kw Or Greater But Not Exceeding 37.3 Kw, N/C, New	number	22,750.00	128,621.21	82.3%
8458110090	Horizontal Lathes, Except Multiple Spindle, Metal Removing, With A Power Rating Exceeding 37.3 Kw, Numerically Controlled, New	number	22,660.00	160,521.48	85.9%
8458190050	Horizontal Lathes, Metal Removing, Except Numerically Controlled, Automatic Bar And/Or Chucking Machines, Single Spindle, Valued \$3,025 And Over	number	7,429.00	58,839.60	87.4%
8458190090	Horizontal Lathes, Metal Removing, Except Numerically Controlled, Valued \$3,025 And Over, New, Nesoi	number	5,362.59	46,558.66	88.5%

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			China	All Other Sources	
8458915070	Lathes For Removing Metal, Numerically Controlled, Except Multiple Spindle, New, Nesoi	number			
			48,552.00	165,933.33	70.7%
8458991050	Vertical Turret Lathes, Metal Removing, Except Numerically Controlled, New	number	2,739.71	42,934.41	93.6%
8458995030	Lathes For Removing Metal, Except Numerically Controlled, Used Or Rebuilt, Nesoi	number	2,312.50	12,077.28	80.9%
8458995060	Lathes For Removing Metal, Except Numerically Controlled, Valued Under \$3,025 Each, New, Nesoi	number	286.51	1,921.36	85.1%
8458995090	Lathes For Removing Metal, Except Numerically Controlled, Valued Over \$3,025 And Over Each, New, Nesoi	number	8,169.71	62,306.01	86.9%
8459210080	Drilling Machines, Metal Removing, Numerically Controlled, New	number	10,550.00	54,450.43	80.6%
8459290010	Drilling Machines, Metal Removing, Except Numerically Controlled, Used Or Rebuilt	number	2,834.88	21,806.15	87.0%
8459290020	Drilling Machines, Metal Removing, Except Numerically Controlled, Valued Under \$3,025 Each, New	number	59.50	243.80	75.6%
8459310070	Combination Boring-Milling Machines, Except Horizontal Spindle, Numerically Controlled, New, Metal Removing	number	17,280.00	137,873.49	87.5%
8459390020	Combination Boring-Milling Machines, Metal Removing, Except Numerically Controlled, Valued Under \$3,025 Each, New	number	250.07	1,184.18	78.9%
8459400020	Boring Machines, Metal Removing, Valued Under \$3,025 Each, New	number	112.55	758.76	85.2%
8459610080	Milling Machines, Except Knee Type, Metal Removing, Numerically Controlled, New	number	1,789.74	58,314.42	96.9%
8459690090	Milling Machines, Metal Removing, Except Numerically Controlled, Valued \$3,025 And Over New, Nesoi	number	5,075.03	13,208.68	61.6%
8459708060	Threading Or Tapping Machines, Metal Removing, Except Numerically Controlled, Valued Under \$3,025 Each, New	number	231.18	836.79	72.4%
8459708080	Threading Or Tapping Machines, Metal Removing, Except Numerically Controlled, Valued \$3,025 And Over Each, New, Nesoi	number	4,500.00	48,526.96	90.7%

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			China	All Other Sources	
8460190010	Flat-Surface Grinding Machines, Reciprocating-Table Type, Metal Removing, Accuracy Of At Least 0.01 Mm, Except Numerically Controlled, New	number	2,716.00	10,775.29	74.8%
8460190050	Flat-Surface Grinding Machines, Metal Removing, Accuracy Of At Least 0.01 Mm, Except Numerically Controlled, Nesoi	number	3,828.13	21,529.89	82.2%
8460210080	Grinding Machines Except Flat Surface, Metal Removing, Accuracy At Least 0.01 Mm, Numerically Controlled, New	number	16,970.33	178,649.89	90.5%
8460290010	Grinding Machines, External Cylindrical, Including Universal, Metal Removing, Accuracy At Least 0.01 Mm, Except Numerically Controlled, New	number	11,924.22	35,998.17	66.9%
8460290050	Grinding Machines, Metal Removing, Accuracy At Least 0.01 Mm, Nesoi	number	7,830.42	28,932.63	72.9%
8460390020	Sharpening (Tool Or Cutter Grinding) Machines, Metal Removing, Except Numerically Controlled, Valued Under \$3,025 Each, New	number	21.80	143.57	84.8%
8460408080	Honing Or Lapping Machines, Except Numerically Controlled, Valued \$3,025 And Over, New	number	5,145.00	65,212.14	92.1%
8460904060	Machine Tools For Finishing Metal By Removing Metal Using Grinding Stones, Abrasives Or Polishing Products, Nesoi, N/C, Valued \$3,025 & Over Each, New	number	37,121.67	89,129.10	58.4%
8460908020	Machine Tools For Finishing Metal By Removing Metal Using Grinding Stones, Abrasives Or Polishing Products, Nesoi, Valued Under \$3,025 Each, New	number	24.56	84.90	71.1%
8461204000	Shaping Or Slotting Machines, Metal Removing, Numerically Controlled	number	12,097.00	79,179.89	84.7%
8461208070	Shaping Or Slotting Machines, Metal Removing, Except Numerically Controlled, Valued Under \$3,025 Each, New	number	230.54	1,212.72	81.0%
8461401060	Gear Cutting Machines, Metal Removing, Except Gear Hobbers Or Shapers And Bevel Gears, New	number	3,707.00	16,475.20	77.5%
8461504050	Sawing Or Cutting-Off Machines, Metal Removing, Numerically Controlled, New	number	7,112.33	23,682.32	70.0%
8461508020	Sawing Or Cutting-Off Machines, Metal Removing, Valued Under \$3,025 Each, New	number	67.69	146.31	53.7%

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			China	All Other Sources	
8461508090	Sawing Or Cutting-Off Machines, Metal Removing, Except Numerically Controlled, Valued \$3,025 Over, New	number	4,787.50	14,424.27	66.8%
8462100010	Forging Or Die-Stamping Machines (Including Presses) And Hammers, Metal Forming, Used Or Rebuilt	number	3,000.00	12,736.97	76.4%
8462100055	Forging Or Die-Stamping Machines (Including Presses) And Hammers, Except Headers, Upsetters Or Transfer Presses, Metal Forming, New	number	4,588.87	60,541.77	92.4%
8462214085	Bending Tools Etc,Num Con,Othr	number	19,000.00	43,112.18	55.9%
8462218085	Fltning Mach TI,Num Con,Othr	number	17,470.89	61,649.88	71.7%
8462294085	Bending Tools Etc,Not Num,Othr	number	36.57	10,283.09	99.6%
8462298015	Bending,Etc,Mach Tool Oth,Used	number	244.83	9,984.78	97.5%
8462298025	Bending Etc Mch Tool,Ot,U/3025	number	48.28	848.67	94.3%
8462298035	Press Brakes, Machine Tools Ot	number	11,675.75	40,523.64	71.2%
8462298055	Bending, Etc, Mach Tools, Nspf	number	15,939.43	41,610.69	61.7%
8462310080	Shearing Machines (Inc Presses), Other Than Combined Punching & Shearing Machines, Metal Forming, Numerically Controlled, New	number	12,190.55	50,190.42	75.7%
8462390020	Shearing Machines (Inc Presses), Other Than Combined Punching & Shearing Machines, Metal Forming, Except N/C, Valued Under \$3,025 Each, New	number	207.23	631.86	67.2%
8462410080	Punching Or Notching Machines (Inc Presses), Including Combined Punching And Shearing Machines, Metal Removing, Numerically Controlled, New	number	11,500.00	109,383.35	89.5%
8462490020	Punching Or Notching Machines (Inc Presses), Including Combined Punching And Shearing Machines, Metal Forming, Except N/C, Valued Under \$3,025, New	number	39.32	547.93	92.8%
8462490050	Punching Or Notching Machines (Inc Presses), Including Combined Punching And Shearing Machines, Metal Forming, Except N/C, Valued \$3,025 And Over, New	number	5,221.33	26,714.43	80.5%

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			China	All Other Sources	
8462918090	Hydraulic Presses, Metal Forming, Except Numerically Controlled, New	number	87.36	23,687.43	99.6%
8462994010	Machine Tools (Including Presses) Working By Forming Metal, Nesoi, Not Hydraulic Presses, Numerically Controlled, Used Or Rebuilt	number	5,200.00	30,527.19	83.0%
8462998045	Mechanical Presses Other Than Mechanical Transfer Presses,New,Not Numerically Controlled Valued \$3,025 And Over	number	23,711.00	146,663.68	83.8%
8462998060	Metal Working Presses, Nesoi, Valued \$3,025 And Over	number	7,902.38	28,791.18	72.6%
8463300040	Machines For Working Wire, Metal Forming, Used Or Rebuilt	number	2,375.00	24,303.39	90.2%
8463300080	Machines For Working Wire, Metal Forming, Valued \$3,025 And Over, New	number	21,931.86	53,341.53	58.9%
8463900080	Machine Tools For Working Metal Without Removing Material, Nesoi, Valued \$3,025 And Over Each, New	number	10,580.00	39,980.67	73.5%
8464100040	Sawing Machines Designed To Saw (Slice) Blank Semiconductor Wafers From Crystal Boules Of Semiconductor Grade Materials	number	14,550.00	237,674.15	93.9%
8464100080	Sawing Machines For Working Stone, Ceramics, Concrete, Asbestos Or Like Materials Or For Cold Working Glass	number	51.65	474.11	89.1%
8464201000	Grinding Or Polishing Machines, Designed For Use In The Manufacture Of Electric Devices On Semiconductor Wafers	number	635.71	41,154.55	98.5%
8464205010	Glass-Working Grinding Or Polishing Machines	number	127.17	12,603.10	99.0%
8464205090	Grinding Or Polishing Machines For Working Stone, Ceramics, Concrete, Asbestos-Cement Or Like Mineral Materials	number	36.62	1,215.14	97.0%
8464901040	Machine Tools Designed To Scribe Or Score Semiconductor Wafers Into Finished Chips Or Die	number	96.00	578.02	83.4%
8464909010	Grind/Pol Mach,Glass,Oth,N/Scb	number	6,045.87	20,453.35	70.4%
8464909090	Grind/Polishing Mach,Oth,N/Scb	number	12.15	322.99	96.2%
8465100045	Woodworking Machines, New, Except Tenoners, Which Carry Out Different Types Of Machining Operations Without Tool Change Between Operations	number	525.39	22,352.69	97.6%

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8465100050	Mach Tools For Working Cork, Bone, Hard Rubber, Hard Plastics Or Similar Hard Materials Which Use Different Machining Operations W/Out Tool Change	number			
			1,190.00	7,088.15	83.2%
8465910012	Band Saws, Used Or Rebuilt, Woodworking Machines	number	176.62	1,246.24	85.8%
8465910022	Sawing Machines, Used Or Rebuilt, Woodworking, Nesoi	number	51.78	849.17	93.9%
8465910027	Sawmill Machines	number	1,000.00	13,174.01	92.4%
8465910032	Radial Arm Saws, Woodworking, Valued Under \$3,025 Each	number	203.75	449.24	54.6%
8465910041	Rip Saws, Woodworking Machines	number	61.80	2,873.23	97.8%
8465910058	Panel Saws, New, Woodworking Valued \$3,000. Each Aad Over	number	13,334.56	30,438.09	56.2%
8465910064	Band Saws, New, Woodworking, Valued Under \$1,000 Each	number	84.57	231.81	63.5%
8465910074	Cross-Cut And Optimizing Saws, New, Woodworking	number	50.97	7,270.93	99.3%
8465910078	Sawing Machines, Woodworking, Nesoi	number	72.91	343.19	78.8%
8465910090	Sawing Machines For Cork, Bone, Hard Rubber, Hard Plastics Or Similar Hard Materials	number	98.26	2,076.99	95.3%
8465920026	Planing, Milling Or Molding (By Cutting) Machines, Woodworking, Valued Under \$3,025 Each	number	19.49	217.04	91.0%
8465920037	Planers, New, Woodworking Machines, Valued \$1,000 Each And Over	number	1,225.72	3,518.11	65.2%
8465920051	Routers, New, Woodworking, Valued Under \$3,000 Each	number	64.99	184.03	64.7%
8465920062	Shapers And Profilers, New, Woodworking Machines, Valued Under \$1,000 Each	number	63.83	308.28	79.3%
8465920066	Shapers And Profilerss, New, Woodworking Machines, Valued \$1,000 Each And Over	number	1,255.71	4,912.85	74.4%
8465920072	Planing, Milling Or Molding (By Cutting) Machines, Woodworking, Nesoi	number	315.91	2,260.70	86.0%
8465920090	Planing, Milling Or Molding (By Cutting) Machines, For Cork,Bone, Hard Rubber, Hard Plastics Or Similar Hard Materials	number	515.79	5,031.65	89.7%
8465930004	Belt Sanders, Used Or Rebuilt, Woodworking, For A Belt Width 60 Cm Or Wider	number	33.18	4,299.67	99.2%

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8465930012	Grinding Sanding Or Polishing Machines, Except Wide Belt Sanders, Woodworking, Used Or Rebuilt	number	25.82	1,469.02	98.2%
8465930075	Grinding, Sanding Or Polishing Machines, Woodworking, New, Nesoi	number	53.20	300.26	82.3%
8465930090	Grinding, Sanding Or Polishing Machines For Cork, Bone, Hard Rubber, Hard Plastics Or Similar Hard Aterials	number	35.50	942.29	96.2%
8465940055	Presses (Except Cold), Woodworking, New	number	12,540.00	75,195.23	83.3%
8465950010	Drilling Or Mortising Machines (Except Numerically Controlled Boring Machines) Woodworking, Used Or Rebuilt	number	15.95	1,061.39	98.5%
8465950035	Boring Machines (Except Numerically Controlled) WOODworking, New, Valued Under \$3,000 Each	number	19.01	704.21	97.3%
8465950065	Drilling Or Mortising Machines, Woodworking, New Nesoi	number	67.14	929.38	92.8%
8465950090	Drilling Or Mortising Machines For Cork, Bone, Hard Rubber, Hard Plastics Or Similar Hard Materials	number	63.53	2,920.52	97.8%
8465960015	Log Splitters, Woodworking	number	180.77	414.49	56.4%
8465960025	Chippers, Woodworking	number	602.61	5,387.61	88.8%
8465960050	Splitting, Slicing Or Paring Machines For Cork, Bone, Hard Rubber, Hard Plastics Or Similar Hard Materials	number	196.73	9,298.27	97.9%
8465998020	Woodwk Mchs,Lathes,U/\$1000,Oth	number	77.32	268.73	71.2%
8465998070	Woodworking Mach Tools, Other	number	60.65	1,188.68	94.9%
8465998095	Mch TI F/Wdworking,Other,Nspf	number	4.57	50.03	90.9%
8466104000	Tool Holder,Add Us Nte 3,Ch 84	number	49.45	168.33	70.6%
8466931530	Cast-Iron Parts Not Advanced & Machined Only For The Removal Of Fins, Gates, Etc, For Metalworking Machine Tools For Cut, Grind Or Finishing Gears	kilograms	3.91	12.38	68.4%
8466936030	Cast-Iron Parts Not Advanced & Machined Only For The Removal Of Fins, Gates,Etc,For Metlworking Machtools For Cut, Grind Or Finishing Gears, Nesoi	kilograms	1.48	23.68	93.7%

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8466936060	Cast-Iron Parts Not Advanced & Machined Only For Removal Of Fins, Gates,Etc, For Machines Of Heading 8456 To 8461,Nesoi,Exc Cut,Grind, Or Finishing	kilograms	1.33	3.08	56.8%
8466938500	Oth Mch Pts,8456/1060,91,99/70	number	151.51	1,359.82	88.9%
8466947500	Mch Pts,N/Irn,Oth84622140/2940	number	43.38	293.35	85.2%
8467111040	Grinders, Polishers And Sanders, Suitable For Metal Working, Rotary Type (Inc Combined Rotary-Percussion) Pneumatic Tools For Working In The Hand	number	10.28	21.59	52.4%
8467111080	Rotary Type Pneumatic Hand-Directed Tools For Metalworking, Nesoi	number	5.87	34.05	82.8%
8467115010	Rock Drills, Rotary Type, Pneumatic Hand-Directed, Nesoi	number	24.45	234.66	89.6%
8467115020	Drills, Except Rock, Screwdrivers And Nut Runners, Rotary Type, Pneumatic Hand-Directed, Nesoi	number	11.65	60.40	80.7%
8467115040	Wrenches, Rotary Type, Pneumatic Hand-Directed Tools, Nesoi	number	15.83	44.33	64.3%
8467115090	Rotary Type Pneumatic Hand-Directed Tools, Nesoi	number	14.50	42.30	65.7%
8467195030	Pneumatic, Hand-Held Force Feed Lubricating Equipment	number	6.26	47.96	86.9%
8467195060	Pneumatic Tools Designed For Use In Construction Or Mining, Hand-Directed	number	36.47	74.58	51.1%
8467195090	Pneumatic Tools, Hand-Directed, Nesoi	number	16.99	39.59	57.1%
8467210070	Electric Hand Drills Other Than Rotary, Including Hammer Drills	number	29.43	99.35	70.4%
8467220040	Electric Hand Saws, Chain Type	number	40.04	139.87	71.4%
8467290010	Electric Hand Angle Grinders, Sanders & Polishers	number	14.83	49.85	70.3%
8467290025	Electric Hand Belt Sanders	number	28.53	79.52	64.1%
8467290035	Electric Hand Grinders, Polishers, Sanders, Nesoi	number	20.03	59.15	66.1%
8467290040	Electric Hand Screwdrivers, Nut-Runners, Impact Wrenches	number	12.54	62.63	80.0%
8467290055	Electric Hand Routers	number	38.34	86.34	55.6%

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HS Item	Commodity Description	Units	Price per Unit in \$s		China Price % less than All Other
			China	All Other Sources	
8467290080	Electropneumatic Hand Rotary & Percussion Hammers	number	41.27	187.47	78.0%
8467290085	Electric Hand Scissors	number	1.48	5.62	73.6%
8467810000	Chain Saws, Self-Contained Nonelectric Motor, Hand-Directed	number	53.74	190.39	71.8%
8467891000	Hand Tools With Self-Contained Nonelectric Motors, Suitable For Metalworking, Nesoi	number	21.66	228.21	90.5%
8467895060	Hand-Directed Tools Designed For Use In Agricultural Or Horticultural, Nesoi	number	3.77	174.27	97.8%
8467895090	Hand-Directed Or Controlled Tools, With Self Contained Nonelectric Motor, Nesoi	number	4.47	84.61	94.7%
8468100000	Hand-Held Blow Torches	number	5.96	21.18	71.9%
8468201000	Gas-Operated Machinery And Apparatus For Soldering, Brazing, Welding Or Surface Tempering, Hand-Directed Or Controlled	number	21.13	43.84	51.8%
8468205000	Gas-Operated Machinery And Apparatus For Soldering, Brazing, Welding Or Surface Tempering, Except Hand-Directed Or Controlled	number	20.39	109.48	81.4%
8468805000	Machinery & Apparatus For Soldering, Brazing, Welding Or Surface Tempering, Exc Gas Operated And Other Than Those Of Heading 8515, Not Hand-Directed	number	43.74	1,080.85	96.0%
8469110000	Word Processing Machines	number	42.91	246.22	82.6%
8469200020	Electric Typewriters, Nesoi, Weighing Not More Than 12 Kg, Excluding Case	number	47.31	151.03	68.7%
8469200040	Electric Typewriters, Nesoi, Weighing More Than 12 Kg	number	22.88	215.74	89.4%
8469300020	Nonelectric Typewriters, Weighing Not More Than 12 Kg, Excluding Case	number	30.11	308.71	90.2%
8469300040	Nonelectric Typewriters, Nesoi, Weighing More Than 12 Kg	number	20.77	126.08	83.5%
8470100060	Electronic Calculators Capable Of Operation Without An External Source Of Power, Except Display Only Type	number	4.76	25.06	81.0%
8470290000	Electronic Calculating Machines, Nesoi, Not Incorporating A Printing Device	number	4.54	12.23	62.9%
8470900090	Ticket-Issuing And Similar Machines, Nesoi, Incorporating A Calculating Device	number	46.85	1,249.22	96.2%

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10-Digit Line Items where the China Price is more than 50% less than the All Other Price

HS Item	Commodity Description	Units	Price per Unit in \$s		China Price % less than All Other
			China	All Other Sources	
8471410065	Digital Adp Mach Containing In Same Housing At Least A Cpu And An Input And Output Unit, Whether Or Not Combined, With Crt Other Than Color	number			
			379.29	2,081.07	81.8%
8471410095	Digital Adp Mach Containing In Same Housing At Least A Cpu And An Input And Output Unit, Whether Or Not Combined, Without Crt	number			
			358.47	895.77	60.0%
8471491035	Digital Processing Unit Which May Contain In Same Housing 1 Or 2 Of The Following Units: Storage, Input Or Output, With Color Crt, Entered With System	number			
			513.01	4,980.78	89.7%
8471491065	Digital Processing Unit Which May Contain In Same Housing 1 Or 2 Of The Following Units: Storage, Input Or Output, With Crt Other Than Color, W/System	number			
			380.63	1,314.56	71.0%
8471491095	Digital Processing Unit Which May Contain In Same Housing 1 Or 2 Of The Following Units: Storage, Input Or Output, Without Crt, Entered W/ The System	number			
			442.52	970.54	54.4%
8471492100	Keyboard Units Entered With The Rest Of The System	number			
			5.01	23.13	78.3%
8471492900	Display Units, Nesoi, Not Incorporating A Crt, Entered With The Rest Of The System	number			
			191.98	440.58	56.4%
8471493200	Printers, Nesoi, Laser, Capable Of Producing < 20 Pages Per Minute, Entered In Form Of Systems	number			
			346.03	2,002.36	82.7%
8471493400	Printers, Nesoi, Ink Jet, Entered In Form Of Systems	number			
			189.96	1,575.62	87.9%
8471493500	Printers, Nesoi, Thermal Transfer, Entered In Form Of Systems	number			
			26.78	251.72	89.4%
8471493760	Printers, Nesoi, Dot Matrix, Entered In Form Of Systems	number			
			106.69	458.96	76.8%
8471494200	Optical Scanners And Magnetic Ink Recognition Devices, Entered In The Form Of Systems	number			
			24.24	120.66	79.9%
8471494875	Adp Output Devices, Nesoi, Entered In The For Of Systems	number			
			54.80	288.31	81.0%
8471494895	Adp Input Units, Nesoi, Entered In The Form Of Systems	number			
			7.05	42.06	83.2%
8471495010	Magnetic Disk Drive Units With A Disk Diameter >=21 Cm, Entered With The Rest Of A System	number			
			12.80	1,298.11	99.0%

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HS Item	Commodity Description	Units	Price per Unit in \$s		China Price % less than All Other
			China	All Other Sources	
8471496000	Control Or Adapter Units For Automatic Data Processing Machines, Entered With The Rest Of A System	number	25.96	52.78	50.8%
8471497000	Power Supplies For Automatic Data Processing Machines Or Units Thereof, Nesoi, Entered With The Rest Of A System	number	11.59	53.70	78.4%
8471498500	Units, Nesoi, Suitable For Physical Incorporation Into Automatic Data Processing Machines Or Units Thereof, Entered In The Form Of Systems	number	19.43	71.35	72.8%
8471499500	Units, Nesoi, For Automatic Data Processing Machines Or Units Thereof, Entered In The Form Of Systems	number	7.76	101.06	92.3%
8471500035	Dgtprcss Unt Clr Crt,847141/49	number	210.80	3,469.84	93.9%
8471500065	Dgtprcss Unt Oth Crt,847141/49	number	99.67	583.70	82.9%
8471500085	Dgtprcss Unt No Crt,847141/49	number	389.12	780.86	50.2%
8471601095	Combination Input/Output Units Without A Crt,Whether Or Not Containing Storage Units In The Same Housing	number	128.93	614.47	79.0%
8471602000	Keyboard Units	number	6.05	20.19	70.0%
8471604540	Display Units, With Cathode-Ray Tube, Other Than Color	number	146.91	340.76	56.9%
8471605100	Laser Printer Units Incorporating At Least The Media Transport, Control And Print Mechanisms, Producing More Than 20 Pages Per Minute	number	342.06	1,600.78	78.6%
8471605300	Printer Units, Light Bar Electronic Type, With Control And Print Mechanisms	number	270.95	923.34	70.7%
8471605500	Printer Units, Thermal Transfer, With Control And Print Mechanisms	number	108.58	283.91	61.8%
8471605790	Printer Units, Nesoi, Incorporating At Least The Media Transport, Control And Print Mechanisms	number	88.16	572.93	84.6%
8471606100	Printers, Nesoi, Laser Capable Of Producing More Than 20 Pages Per Minute	number	640.16	1,467.76	56.4%
8471606200	Printers, Nesoi, Capable Of Producing < 20 Pages Per Minute	number	188.54	553.04	65.9%
8471606500	Printers, Nesoi, Thermal Transfer	number	114.76	404.25	71.6%

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HS Item	Commodity Description	Units	Price per Unit in \$s		China Price % less than All Other
			China	All Other Sources	
8471608000	Optical Scanners And Magnetic Ink Recognition Devices	number	62.51	147.42	57.6%
8471609030	Card Key And Magnetic Media Entry Devices	number	3.71	30.17	87.7%
8471609070	Adp Output Devices, Nesoi	number	23.29	263.98	91.2%
8471609090	Adp Input Units, Nesoi	number	4.98	26.19	81.0%
8471703000	Magnetic Disk Drive Units, Nesoi, With A Disk Diameter >=21 Cm	number	40.27	304.20	86.8%
8471705065	Hard Magnetic Disk Drive Units, Nesoi	number	80.52	569.94	85.9%
8471705095	Disk Drive Units, Nesoi	number	62.23	326.76	81.0%
8471706000	Other Storage Units, Nesoi, Not Assembled In Cabinets For Placing On A Table, Desk, Wall Floor Or Similar Place	number	31.02	65.71	52.8%
8471709000	Other Storage Units, Nesoi	number	44.33	249.59	82.2%
8471801000	Control Or Adapter Units For Automatic Data Processing Machines	number	28.57	85.90	66.7%
8471804000	Units, Nesoi, Suitable For Physical Incorporation Into Automatic Data Processing Machines Or Units Thereof	number	5.23	83.65	93.8%
8471809000	Other Units For Automatic Data Processing Machines, Nesoi	number	87.29	175.11	50.1%
8471900000	Machines And Units Thereof For Processing Data, Nesoi	number	15.05	79.79	81.1%
8472300000	Machines For Sorting Or Folding Mail, For Inserting Mail In Envelopes, Postage Affixing Or Canceling Machines, Machines For Opening Or Sealing Mail	number	10.04	23.56	57.4%
8472901000	Automated Teller Machines	number	90.17	3,776.43	97.6%
8472909040	Desktop Note Counters And Note Scanners	number	130.94	466.18	71.9%
8472909060	Other Currency And Coin Handling Machines	number	57.41	1,314.64	95.6%
8474100010	Sorting, Screening, Separating Or Washing Machines For Earth, Stone, Ores, Or Other Mineral Substances In Solid Form, Portable	number	2,361.78	12,471.02	81.1%
8474100090	Sorting, Screening, Separating Or Washing Machines For Earth, Stone, Ores, Or Other Mineral Substances In Solid Form, Stationary	number	4,948.70	10,591.14	53.3%

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HS Item	Commodity Description	Units	Price per Unit in \$s		China Price % less than All Other
			China	All Other Sources	
8474200010	Crushing Or Grinding Machines For Earth, Stone, Ores, Or Other Mineral Substances In Solid Form, Portable	number	194.19	20,184.67	99.0%
8474200050	Crushing Machines For Earth, Stone, Ores, Or Other Mineral Substances In Solid Form, Stationary	number	24,137.35	49,945.42	51.7%
8474310000	Concrete Or Mortar Mixers	number	121.44	812.36	85.1%
8475100000	Machines For Assembling Electric Or Electronic Lamps, Tubes Or Flashbulbs, In Glass Envelopes	number	12,243.00	83,568.66	85.3%
8475210000	Machines For Making Optical Fibers And Preforms Thereof	number	2,121.80	21,398.79	90.1%
8475290000	Machines For Manufacturing Or Hot Working Glass Or Glassware, Nesoi	number	10,188.33	22,823.56	55.4%
8476210000	Automatic Vending Machines Incorporating Heating Or Refrigerating Devices	number	229.86	971.98	76.4%
8476290000	Automatic Vending Machines Not Incorporating Heating Or Refrigerating Devices	number	41.78	222.24	81.2%
8476810000	Other Vending Machines, Not Automatic, Incorporating Heating Or Refrigerating Devices	number	75.19	1,608.45	95.3%
8476890000	Other Vending Machines Not Incorporating Heating Or Refrigerating Devices, Nesoi	number	25.59	156.52	83.6%
8477109015	Inj-Mld Mach F/Rub,Oth Ther.Ma	number	38,586.03	89,155.06	56.7%
8477109030	Other Injection Molding Machines Of A Type Used For Processing Thermoplastics With A Clamp Force Less Than 50 Tons	number	4,668.89	69,910.87	93.3%
8477109040	Other Injection Molding Machines Of A Type Used For Processing Thermoplastics With A Clamp Force Equal To Or Greater Than 50 Tons & Less Than 300 Tons	number	22,044.05	88,935.59	75.2%
8477109050	Other Injection Molding Machines Of A Type Used For Processing Thermoplastics With A Clamp Force Equal To Or Greater Than 300 Tons & Less Than 750Tons	number	71,035.00	203,112.78	65.0%
8477109060	Other Injection Molding Machines Of A Type Used For Processing Thermoplastics With A Clamp Force Equal To Or Greater Than 750 Tons	number	66,225.50	181,143.75	63.4%

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10-Digit Line Items where the China Price is more than 50% less than the All Other Price

HS Item	Commodity Description	Units	Price per Unit in \$s		China Price % less than All Other
			China	All Other Sources	
8477200015	Extruders, Other Than Single Screw, Of A Type Used For Processing Rubber Or Other Thermosetting Materials	number	9,880.00	129,783.08	92.4%
8477200045	Extruders,Single Screw,With A Screw Size 6.4Cm Or Greater, Of A Type Used For Processing Thermoplastics	number	72,996.00	279,019.89	73.8%
8477200065	Extruders, Except Single Screw,With A Screw Size 6.4Cm Or Greater, Of A Type Used For Processing Thermoplastics	number	37,550.00	190,256.06	80.3%
8477300000	Blow-Molding Machines	number	33,114.43	283,796.92	88.3%
8477408000	Vacuum-Molding,Thermoform Mach	number	9,282.00	24,758.64	62.5%
8477800000	Machinery, Nesoi, For Working Rubber Or Plastics Or For The Manufacture Of Products Form These Materials	number	950.77	11,217.02	91.5%
8478100010	Industrial Cigarette-Making Machines	number	16,574.63	324,820.85	94.9%
8478100090	Machinery For Preparing Or Making Up Tobacco, Not Specified Or Included Elsewhere In Chapter 84	number	2.21	27.45	92.0%
8479100040	Pavers, Finishers And Spreaders For Concrete,For Public Works, Building Or Similar Use	number	191.71	831.37	76.9%
8479100080	Machinery For Public Works, Building Or The Like, Except Concrete And Bituminous Pavers, Finishers And Spreaders	number	278.94	6,209.58	95.5%
8479810000	Machines And Mechanical Appliances For Treating Metal, Including Electric Wire Coil-Winders	number	50.20	2,025.99	97.5%
8479820040	Mixing, Kneading Or Stirring Machines, Nesoi	number	2.68	123.25	97.8%
8479820080	Crushing, Grinding, Screening, Sifting, Homogenizing Or Emulsifying Machines, Nesoi	number	24.64	929.33	97.3%
8479891000	Air Humidifiers Or Dehumidifiers, Not Incorporating A Refrigerating Unit	number	71.52	147.94	51.7%
8479892000	Industrial Floor Polishers	number	252.97	922.36	72.6%
8479893040	Industrial Vacuum Cleaners	number	60.36	207.04	70.8%
8479893080	Vacuum Cleaners And Floor Polishers, Except Industrial Type, Nesoi	number	11.81	85.41	86.2%

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HS Item	Commodity Description	Units	Price per Unit in \$s		China Price % less than All Other
			China	All Other Sources	
8479898490	Machines Nesoi For Production And Assembly (Except Testing) Of Diodes, Transistors And Similar Semiconductor Devices Andelectronic Integrated Circuits	number			
			13,188.86	123,021.20	89.3%
8479899850	Oil And Gas Field Wire Line And Downhole Equipment	number	328.37	1,682.29	80.5%
8479899860	Automotive Maintenance Machines, Nesoi	number	48.46	969.99	95.0%
8479899885	Ultrasonic Cleaning Devices	number	15.16	373.92	95.9%
8479899895	Industrial Vibrators	number	28.29	414.72	93.2%
8479899897	Other Machines And Mechanical Appliances Having Individual Functions, Not Specified Or Included Elsewhere In Chapter 84	number	2.58	32.36	92.0%
8480410000	Molds For Metal Or Metal Carbides, Injection Or Compression Type	number	93.55	266.45	64.9%
8480490000	Molds For Metal Or Metal Carbides, Other Than Injection Or Compression Type	number	13.49	57.30	76.5%
8480500090	Molds For Glass, Other Than Injection Or Compression Type	number	8.87	132.97	93.3%
8480714000	Injct/Cmprs Mld,F/Smcndctr Dvc	number	23.13	145.08	84.1%
8480718045	Injection Type Molds, Other	number	211.26	1,846.56	88.6%
8480799020	Bladder Operated Molds For Rubber Or Plastics	number	1.02	123.91	99.2%
8481100020	Pressure-Reducing Valves, Hydraulic Fluid Power Type	number	0.44	2.86	84.7%
8481100060	Pressure-Reducing Valves, Pneumatic Power Type, Nesoi.	number	0.81	4.28	81.1%
8481200010	Hydraulic Valves, Directional Control, Manual Type	number	3.39	30.33	88.8%
8481200030	Hydraulic Valves, Directional Control, Nesoi	number	4.86	81.17	94.0%
8481200050	Hydraulic Valves Nesoi	number	3.55	19.25	81.6%
8481200080	Pneumatic Valves, Nesoi	number	2.51	13.67	81.7%
8481301090	Check Valves Of Copper Having A Pressure Rating Of 850 Kpa Or Over	number	2.42	6.01	59.7%
8481302010	Check Valves Of Iron	number	2.69	14.80	81.8%
8481302090	Check Valves Of Steel	number	1.24	7.84	84.1%

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HS Item	Commodity Description	Units	Price per Unit in \$s		China Price % less than All Other
			China	All Other Sources	
8481400000	Safety Or Relief Valves	number	1.40	3.22	56.4%
8481801050	Other Hand Operated Taps, Cocks, Valves And Similar Appliances Of Copper, Having A Pressure Rating Under 850 Kpa	number	0.53	1.14	53.8%
8481801060	Gate Type Taps, Cocks And Valves Of Copper, Hand Operated, Having A Pressure Rating Of 850 Kpa Or Over	number	1.84	4.08	55.0%
8481801095	Taps, Cocks And Valves, Nesoi, Of Copper, Hand Operated, Having A Pressure Rating Of 850 Kpa Or Over	number	1.10	2.52	56.2%
8481803010	Gate Type Taps, Cocks And Valves Of Iron, Hand Operated	number	50.57	169.79	70.2%
8481803025	Ball Type Taps, Cocks And Valves Of Iron, Hand Operated	number	12.11	26.69	54.6%
8481803030	Butterfly Type Taps, Cocks And Valves Of Iron, Hand Operated	number	35.05	70.11	50.0%
8481803065	Plug Type Taps, Cocks And Valves Of Steel, Hand Operated	number	0.72	9.88	92.7%
8481803075	Butterfly Type Taps, Cocks And Valves Of Steel, Hand Operated	number	21.17	161.72	86.9%
8481809005	Solenoid Valves	number	2.96	9.70	69.5%
8481809015	Regulator Valves, Self-Operating, For Controlling Variables Such As Temperature, Pressure, Flow And Liquid Level	number	2.47	7.73	68.0%
8481809025	Electrical Or Electro-Hydraulic Actuators, Nesoi	number	12.52	28.88	56.7%
8481809035	Other Pneumatic Actuators, Nesoi, With Control Valves Designed For Proportional Operation By A Signal From A Control Device	number	3.59	56.71	93.7%
8481809040	Taps, Cocks, Valves, Etc., With Pneumatic Actuators, Nesoi	number	0.70	10.54	93.4%
8481809045	Thermostatic Actuators, Nesoi	number	3.06	8.56	64.2%
8481809050	Other Taps, Cocks, Valves, Etc., Nesoi	number	1.13	7.19	84.3%
8481909020	Valve Bodies Of Valves For Oleohydraulic Or Pneumatic Transmissions	kilograms	3.94	11.03	64.3%
8481909040	Parts, Except Valve Bodies, Of Valves For Oleohydraulic Or Pneumatic Transmissions	kilograms	8.11	17.15	52.7%
8481909060	Valve Bodies, Nesoi	kilograms	2.69	6.06	55.7%

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			China	All Other Sources	
8481909080	Parts, Nesoi, Of Taps, Cocks, Valves And Similar Appliances, Nesoi	kilograms	3.57	13.08	72.7%
8482101040	Ball Bearings With Integral Shafts Having An Outside Diameter Not Over 30 Mm	number	0.48	1.77	73.0%
8482101080	Ball Bearings With Integral Shafts Having An Outside Diameter Over 30 Mm	number	1.11	2.37	53.0%
8482105008	Thrust Bearings	number	0.92	3.22	71.4%
8482105012	Linear Bearings	number	7.49	15.42	51.5%
8482105016	Angular Contact Bearings, Wheel Hub Units, Flanged	number	5.88	25.96	77.3%
8482105028	Angular Contact Bearings, Other Than Wheel Hub Units	number	1.98	12.45	84.1%
8482105032	Radial Bearings, Single Row, Maximum Or Full Capacity Type	number	0.55	4.12	86.7%
8482105036	Radial Bearings, Single Row, Having An Outside Diameter Of Under 9 Mm	number	0.24	1.11	78.9%
8482105048	Radial Bearings, Single Row, Having An Outside Diameter Of Over 30 Mm But Not Over 52 Mm	number	0.38	1.00	62.1%
8482105052	Radial Bearings, Single Row Having An Outside Diameter Of Over 52 Mm But Not Over 100 Mm	number	1.35	3.02	55.4%
8482105056	Radial Bearings, Single Row Having An Outside Diameter Of Over 100 Mm	number	3.40	13.70	75.1%
8482105060	Double Row Ball Bearings,Radial	number	0.59	5.15	88.6%
8482105068	Ball Bearings, Nesoi	number	0.39	2.85	86.2%
8482200020	Tapered Roller Bearings, Cup And Cone Assemblies Entered As A Set, Wheel Hub Units, Flanged	number	1.30	15.83	91.8%
8482200030	Tapered Roller Bearings, Cup And Cone Assemblies Entered As A Set, Wheel Hub Units, Other Than Flanged	number	1.06	6.31	83.2%
8482200040	Tapered Roller Bearings, Cup And Cone Assemblies Entered As A Set, With Cup Having Outside Diameter Not Exceeding 102 Mm	number	0.61	5.27	88.5%
8482200060	Tapered Roller Bearings, Cup And Cone Assemblies Entered As A Set, With Cup Having Outside Diameter Exceeding 102 Mm	number	0.55	5.42	89.9%

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			China	All Other Sources	
8482200070	Tapered Roller Bearings, Cone Assemblies Entered Separately, For Cups Having Outside Diameter Not Exceeding 102 Mm	number	0.46	2.78	83.4%
8482200080	Tapered Roller Bearings, Cone Assemblies Entered Separately, For Cups Having Outside Diameter Exceeding 102 Mm	number	1.02	8.95	88.6%
8482300040	Spherical Roller Bearings, Single Row	number	6.08	21.96	72.3%
8482300080	Spherical Roller Bearings, Other Than Single Row	number	23.58	55.13	57.2%
8482500000	Other Cylindrical Roller Bearings	number	0.53	6.09	91.2%
8482800020	Combined Ball & Spherical Roller Bearings	number	2.24	8.81	74.6%
8482800080	Other Ball Or Roller Bearings, Including Combined Ball/Roller Bearings, Nesoi	number	0.69	5.82	88.1%
8482910040	Needles For Needle Roller Bearings	kilograms	2.72	8.32	67.3%
8482910070	Spherical Rollers For Roller Bearings	kilograms	2.51	6.56	61.8%
8482990500	Inner And Outer Races For Ball Bearings	number	0.13	0.36	63.8%
8482991540	Cups (An Outer Ring) For Tapered Roller Bearings	number	0.47	2.04	77.0%
8482992580	Inner Or Outer Rings Or Races Parts Of Bearings Nesoi	number	0.68	5.60	87.9%
8482993500	Parts, Except Inner And Outer Races, For Ball Bearings, (Including Ball Bearings With Integral Shafts)	kilograms	3.77	11.89	68.3%
8482996510	Parts Of Spherical Roller Bearings, Nesoi	kilograms	4.02	21.20	81.0%
8482996560	Parts Of Other Cylindrical Roller Bearings, Nesoi	kilograms	2.80	24.96	88.8%
8483101030	Camshafts And Crankshafts For Vehicles Of Chapt 87, Except Motorcycles, For Use With Spark-Ignition Internal Combustion Piston Engines Or Rotary Eng	number	12.67	30.91	59.0%
8483103010	Camshafts And Crankshafts For Vehicles Of Chapter 87, Other Than Vehicles With Spark-Ignition Internal Combustion Piston Engines Or Rotary Engines	number	5.05	76.77	93.4%
8483103050	Camshafts And Crankshafts, Nesoi	number	5.20	25.70	79.8%

Illustrative List of Chinese Underselling -- HS Chapters 84 and 85:
Comparison of US Imports from China and All Other Sources
10-Digit Line Items where the China Price is more than 50% less than the All Other Price

HS Item	Commodity Description	Units	Price per Unit in \$s		China Price % less than All Other
			China	All Other Sources	
8483105000	Transmission Shafts And Cranks, Except Camshafts And Crankshafts	kilograms	3.52	7.11	50.5%
8483204040	Flange, Take-Up, Cartridge And Hanger Units Incorporating Ball Bearings, Housed Bearings	number	1.47	7.77	81.1%
8483204080	Flange, Take-Up, Cartridge And Hanger Units Incorporating Roller Bearings, Housed Bearings	number	2.21	8.84	75.0%
8483208040	Housed Bearings, Incorporating Ball Bearings Except Flange, Take-Up, Cartridge And Hanger Units	number	1.21	5.41	77.7%
8483304040	Housings, For Ball Or Roller Bearing Type Flange, Take-Up, Cartridge And Hanger Units	kilograms	3.64	7.64	52.3%
8483308020	Bearing Housings, Ball Or Roller Bearing Type	kilograms	3.02	8.72	65.3%
8483308055	Transmission Shafts: Bearing Housings, Plain Shaft Bearings With Housing, Rod End Bearings	number	1.48	10.27	85.6%
8483308065	Transmission Shafts And Cranks: Bearing Housings, Plain Shaft Bearings With Housing, Nesoi	number	0.57	3.31	82.7%
8483403080	Multiple And Variable Ratio Speed Changers Imported For Use With Machines For Making Cellulosic Pulp, Paper Or Paperboard	number	14.20	48.72	70.9%
8483405050	Multiple And Variable Ratio Speed Changers, Nesoi	number	11.79	42.94	72.6%
8483901050	Chain Sprockets And Parts, Except Forged	kilograms	2.66	7.15	62.7%
8484900000	Sets Or Assortments Of Gaskets And Similar Joints, Dissimilar In Composition, Put Up In Pouches, Envelopes Or Similar Packings	number	0.24	3.00	92.1%
8485900080	Machinery Parts Not Containing Electrical Features, Nesoi	kilograms	4.77	16.55	71.1%

Illustrative List of Chinese Underselling -- HS Chapters 84 and 85:
Comparison of US Imports from China and All Other Sources
10-Digit Line Items where the China Price is more than 50% less than the All Other Price

HS Item	Commodity Description	Units	Price per Unit in \$s		China Price % less than All Other
			China	All Other Sources	

Chapter 85 Line Items

8501104020	Electric Motors Under 18.65 W Output, Ac, Nesoi	number	2.29	4.87	53.1%
8501104060	Electric Motors Under 18.65W, Dc, O/T Brushless,Nesoi	number	0.88	2.65	66.8%
8501106040	Electric Motors Of An Output Of 18.65 W Or More But Not Exceeding 37.5 W, Dc, Brushless	number	4.23	10.42	59.4%
8501106080	Electric Motors Of An Output Of 18.65 W Or More But Not Exceeding 37.5 W, Nesoi	number	4.06	15.32	73.5%
8501204000	Universal Ac/Dc Electric Motors Of An Output Exceeding 74.6 W But Not Exceeding 735 W	number	5.40	12.17	55.6%
8501205000	Universal Ac/Dc Elec Motors Exceeding 735W But Under 746W	number	7.70	29.16	73.6%
8501312000	Dc Motors Of An Output Exceeding 37.5 W But Not Exceeding 74.6 W	number	2.09	8.82	76.3%
8501316000	Dc Motors Of An Output Exceeding 746 W But Not Exceeding 750 W	number	5.03	17.38	71.1%
8501322000	Dc Motors Of An Output Exceeding 750 W But Not Exceeding 14.92 Kw	number	15.29	42.44	64.0%
8501324500	Elec Motors Used As The Primary Source Of Mechanical Power For Elec Powered Vehicles Of Heading 8703.90	number	14.49	57.80	74.9%
8501325520	Dc Motors Of An Output Exceeding 14.92 Kw But Not Exceeding 75 Kw, For Civil Aircraft	number	22.50	1,241.69	98.2%
8501325540	Dc Motors Of An Output Exceeding 14.92 Kw But Not Exceeding 75 Kw, Except For Civil Aircraft	number	46.22	299.59	84.6%
8501326000	Dc Generators Of An Output Exceeding 750 W But Not Exceeding 75 Kw	number	193.15	670.18	71.2%
8501334040	Dc Motors Of An Output Exceeding 150 Kw But Not Exceeding 373 Kw	number	148.73	6,069.13	97.5%
8501334060	Dc Motors Of An Output Exceeding 373 Kw But Not Exceeding 375 Kw	number	34.60	351.37	90.2%
8501336000	Dc Generators Of An Output Exceeding 75Kw But Not Exceeding 375Kw	number	76.83	502.10	84.7%
8501343000	Dc Motors Of An Output Exceeding 375 Kw	number	1,666.20	13,210.89	87.4%
8501402020	Gear Motor, Ac, Single-Phase, Of An Output Exceeding 37.5 W But Not Exceeding 74.6 W	number	4.86	10.01	51.5%

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HS Item	Commodity Description	Units	Price per Unit in \$s		China Price % less than All Other
			China	All Other Sources	
8501404040	Ac Motor, Single-Phase, Of An Output Exceeding 74.6 W But Not Exceeding 735 W, Except Gearmotors	number	7.56	15.14	50.1%
8501405040	Ac Motor, Single-Phase Exceeding 735W But Under 746W	number	7.39	17.61	58.0%
8501406020	Gear Motor, Ac, Single-Phase, An Output Of 746 W And Greater	number	9.78	42.95	77.2%
8501406040	Ac Motor, Single-Phase, Of An Output Exceeding 746 W, Except Gear Motors	number	16.20	35.02	53.7%
8501512040	Ac Motor, Multi-Phase, Of An Output Exceeding 37.5 W But Not Exceeding 74.6 W, Except Gearmotors	number	15.15	41.29	63.3%
8501514020	Gear Motor, Ac, Multi-Phase, Of An Output Exceeding 74.6 W But Not Exceeding 735 W	number	17.63	40.83	56.8%
8501514040	Ac Motor, Multi-Phase, Of An Output Exceeding 74.6 W But Not Exceeding 735 W, Except Gearmotors	number	10.29	30.18	65.9%
8501515020	Gear Motor, Ac, Multi-Phase, Exceeding 735W But Under 746W	number	103.92	935.20	88.9%
8501515040	Ac Motor, Multi-Phase, Exceeding 735W But Under 746W	number	34.46	128.60	73.2%
8501516020	Gear Motor, Ac, Multi-Phase, Exceeding 746 W But Not Exceeding 750W	number	105.74	215.98	51.0%
8501516040	Ac Motor, Multi-Phase, Exceeding 746 W But Not Exceeding 750 W, Nesoi	number	42.05	167.43	74.9%
8501528020	Ac Motors, Multi-Phase, Exceeding 14.92 Kw But Not Exceeding 75 Kw For Civil Aircraft	number	334.64	870.50	61.6%
8501538060	Ac Motors, Multi-Phase, Exceeding 373Kw	number	6,784.94	20,938.01	67.6%
8501610000	Ac Generators (Alternators) Not Exceeding 75 Kva Output	number	76.80	260.60	70.5%
8501630000	Ac Generators(Alternator) Exceeding 375 Kva But Not Exceeding 750Kva	number	145.74	1,039.38	86.0%
8501640020	Ac Generators (Alternators) Exceeding 750 Kva But Not Exceeding 10,000 Kva	number	688.35	17,565.18	96.1%
8501640050	Ac Generators (Alternators) Exceeding 40,000 Kva	number	525.39	14,549.90	96.4%
8502110000	Generating Sets, Electric, Diesel, Of An Output Not Exceeding 75 Kva	number	447.41	3,421.01	86.9%
8502120000	Generating Sets, Electric, Diesel, Of An Output Exceeding 75 Kva But Not Exceeding 375 Kva	number	479.34	12,173.19	96.1%

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10-Digit Line Items where the China Price is more than 50% less than the All Other Price

HS Item	Commodity Description	Units	Price per Unit in \$s		China Price % less than All Other
			China	All Other Sources	
8502130020	Generating Sets, Electric, Diesel, Of An Output Exceeding 375 Kva But Not Exceeding 1,000 Kva	number	794.02	12,604.18	93.7%
8502130040	Generating Sets, Electric, Diesel, Of An Output Exceeding 1,000 Kva	number	23,832.50	162,854.89	85.4%
8502200030	Generating Sets, Electric, Gasoline, Of An Output Under 1.5 Kw	number	124.16	401.47	69.1%
8502200080	Generating Sets, Electric, Gasoline, Of An Output Exceeding 5Kw	number	573.44	1,437.77	60.1%
8502310000	Other Electric Generating Sets, Wind-Powered	number	1,051.54	48,432.97	97.8%
8502390000	Generating Sets, Electric, Nesoi	number	177.74	3,049.59	94.2%
8502400000	Electric Rotary Converters	number	9.30	32.01	70.9%
8503002000	Commutators For Machines In Heading 8501 Or 8502	number	0.28	0.64	55.8%
8504210080	Liquid Dielectric Transformers Having A Power Handling Capacity Exceeding 500 Kva But Not Exceeding 650 Kva	number	1.32	90.01	98.5%
8504220040	Liquid Dielectric Transformers Having A Power Handling Capacity Exceeding 650 Kva But Not Exceeding 2,500 Kva	number	485.21	9,871.96	95.1%
8504314065	Transformers, Nesoi, Having A Power Handling Capacity 40Va Or Greater But Less Than 1 Kva	number	1.13	2.58	56.1%
8504320000	Transformers, Nesoi, Having A Power Handling Capacity Exceeding 1 Kva But Not Exceeding 16 Kva	number	1.38	7.26	81.0%
8504330020	Transformers, Nesoi, Having A Power Handling Capacity Exceeding 16 Kva But Not Exceeding 50 Kva	number	1.49	19.64	92.4%
8504330040	Transformers, Nesoi, Having A Power Handling Capacity Exceeding 50 Kva But Not Exceeding 500 Kva	number	5.20	188.64	97.2%
8504340000	Transformers, Nesoi, Having A Power Handling Capacity Exceeding 500 Kva	number	1,353.57	11,194.61	87.9%
8504404000	Static Converters	number	25.24	66.82	62.2%
8504407018	Power Supplies For Automatic Data Processing Machines Or Units Thereof, With A Power Output Exceedin 500W	number	39.13	102.61	61.9%
8504409530	Pwr Splies, 150<X=<500, Rectifir	number	34.71	72.70	52.3%

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HS Item	Commodity Description	Units	Price per Unit in \$s		China Price % less than All Other
			China	All Other Sources	
8504409540	Power Supplies, Other,Rectifrs	number	6.16	16.33	62.3%
8504902000	Parts Of Power Supplies For Automatic Data Processing Machines, Printed Circuit Assemblies	number	2.77	11.40	75.7%
8504906500	Prt:Prntd Crctas,Tlcm850440/50	number	3.70	9.77	62.1%
8504909510	Ferrites For Transformers	number	0.04	0.09	57.2%
8507204000	Lead Acid Storage Batteries, Used, As The Primary Source Of Electrical Power For Electrically Powered Vehicles Of Subheading 8703.90	number	11.24	36.96	69.6%
8507208090	Lead Acid Storage Batteries, Nesoi	number	5.45	13.22	58.7%
8507308090	Nickel-Cadmium Storage Batteries, Nesoi	number	1.88	5.60	66.4%
8507404000	Nickel-Iron Storage Batteries Used As The Primary Source Of Electrical Power For Electrically Powered Vehicles Of Subheading 8703.90	number	2.87	24.86	88.4%
8507804000	Other Storage Batteries Used As The Primary Source Of Electrical Power For Electrically Powered Vehicles Of Subheading 8703.90	number	3.48	12.51	72.2%
8509200000	Electric Domestic Floor Polishers	number	65.76	133.09	50.6%
8511300040	Internal Combustion Engine Distributors	number	4.72	11.31	58.2%
8511400000	Internal Combustion Engine Starter Motors And Dual Purpose Starter-Generators	number	15.59	37.79	58.7%
8511802000	Internal Combustion Engine Voltage Regulators With Cut-Out Relays For6V, 12V, And 24V Systems	number	1.39	4.93	71.8%
8511906020	Parts For Internal Combustion Engine Distributor Breaker Point Sets	number	0.27	1.36	80.2%
8514100000	Industrial Or Laboratory Furnaces And Ovens, Resistance Type	number	729.38	13,080.69	94.4%
8514204000	Indctn/Dlc Frn&Ovn,Mnf Smcndcr	number	36.00	186.23	80.7%
8514302000	Furnaces And Ovens For Diffusion, Oxidation Or Annealing Of Semiconductor Wafers	number	58.27	13,684.29	99.6%
8514306000	Furn/Oven,F/Rapid Heat Smcndct	number	478.54	3,718.84	87.1%
8514308000	Indus/Lab Elec,Oth Furnace,Oth	number	269.31	855.42	68.5%

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HS Item	Commodity Description	Units	Price per Unit in \$s		China Price % less than All Other
			China	All Other Sources	
8515110000	Soldering Irons And Guns, Electric	number	1.72	4.70	63.4%
8515190000	Brazing Or Soldering Machines, Nesoi	number	32.96	142.53	76.9%
8515290000	Machines And Apparatus For Resistance Welding Of Metal, Nesoi	number	52.38	709.03	92.6%
8515310000	Machines And Apparatus For Arc (Including Plasma Arc) Welding Of Metals, Fully Or Partly Automatic	number	210.06	6,621.32	96.8%
8515390040	Arc Welding Machines, Arc, Nesoi, Non-Rotating Type	number	22.20	108.39	79.5%
8515800040	Ultrasonic Welding Machines	number	5,800.00	36,930.28	84.3%
8515800080	Elec Welding Machines,Nesoi	number	26.70	436.65	93.9%
8516100040	Electric Storage Water Heaters	number	7.61	64.51	88.2%
8516100080	Electric Water Heaters, Nesoi, And Immersion Heaters	number	4.21	11.42	63.1%
8516330000	Electric Hand-Drying Apparatus	number	6.68	32.15	79.2%
8516604080	Electric Cooking Stoves, Ranges And Ovens, Nesoi	number	22.92	94.11	75.6%
8517194000	Videophones	number	65.99	213.58	69.1%
8517220000	Teleprinters	number	25.00	71.40	65.0%
8517302000	Private Branch Exchange Switching Apparatus	number	211.98	1,473.94	85.6%
8517303000	Telephonic Switching Apparatus,Nesoi	number	50.00	145.37	65.6%
8518401000	Line Telephony Audio Frequency Amplifier Repeaters	number	2.40	39.83	94.0%
8519100000	Coin- Or Token-Operated Record Players	number	9.99	950.01	98.9%
8519310000	Turntables With Automatic Record Changers	number	89.00	472.61	81.2%
8519938040	Cassette Tape Players, Ac Only	number	18.89	483.94	96.1%
8519938080	Cassette Tape Players, Nesoi	number	3.23	6.49	50.3%
8520330070	Cassette Tape Recorder/Players, Without Speakers	number	14.28	58.95	75.8%
8520390050	Tape Recorder/Players,Ac Only, Stereo, Nesoi	number	76.36	302.39	74.7%
8520390070	Tape Recorder/Players Nesoi	number			62.9%

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HS Item	Commodity Description	Units	Price per Unit in \$s		China Price % less than All Other
			China	All Other Sources	
			18.81	50.71	
8521103000	Video Cassette, Cartridge Player Only, Color, No Tv Tuner	number	231.27	1,330.58	82.6%
8521109000	Video Recording Or Reproducing Apparatus, Magnetic Tape-Type, Except Color	number	44.80	195.41	77.1%
8522100000	Pickup Cartridges	number	3.11	8.14	61.8%
8523110000	Unrecorded Magnetic Tape, Of A Width Not Exceeding 4 Mm	number	0.19	0.45	58.1%
8523200000	Unrecorded Magnetic Discs	number	0.11	0.23	52.3%
8524310030	Discs For Laser Reading Systems For Reproducing Phenomena Other Than Sound Or Image. Prepackaged Software For Adp Machines, Of A Kind Sold At Retail.	number	0.77	6.65	88.4%
8524310070	Discs For Laser Reading Systems For Reproducing Phenomena Other Than Sound Or Image, Nesoi	number	1.33	3.25	58.9%
8524320000	Discs For Laser Reading Systems For Reproducing Sound Only	number	0.72	1.96	63.3%
8524513080	Magnetic Tape Recordings Of A Width Not Exceeding 4Mm,Nesoi	number	1.00	2.02	50.5%
8524521080	Magnetic Tape Recordings Of A Width Exceeding 4Mm But Not Exceeding 6.5 Mm, Video, Nesoi	linear meters	1.20	6.38	81.2%
8524910070	Other Magnetic Media, For Reproducing Phenomena Other Than Sound Or Image, Nesoi	number	4.33	45.61	90.5%
8525103015	Mach Rec Satlite Telvsnsignals	number	21.08	52.07	59.5%
8525107025	Trnsmtr Oth,Freq <=30Mhz,Radio	number	6.82	39.68	82.8%
8525107045	Trnsmtr Oth,Frq >30X<=400Radio	number	12.87	39.72	67.6%
8525107065	Trnsmtr Oth>400X=<1000Mhzradio	number	5.27	11.72	55.0%
8525109025	Transmitters Oth, Freq <=30Mhz	number	11.61	34.89	66.7%
8525109045	Transmitter Oth,Freq >30X<=400	number	8.50	33.04	74.3%
8525109085	Transmitters Oth,Freq >1000Mhz	number	59.32	303.68	80.5%
8525202000	Radio Transceivers, Low Power Operating On Frequencies From 49.82 To 49.90 Mhz	number	3.37	8.82	61.8%

Illustrative List of Chinese Underselling -- HS Chapters 84 and 85:
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HS Item	Commodity Description	Units	Price per Unit in \$s		China Price % less than All Other
			China	All Other Sources	
8525203010	Radio Transceivers, Hand-Held, For Frequencies Not Exceeding 30 Mhz	number	9.94	29.22	66.0%
8525203060	Amateur Radio Transceivers, For Frequencies Not Exceeding 30 Mhz	number	110.21	320.10	65.6%
8525203065	Radio Transceivers, Nesoi, For Frequencies Not Exceeding 30 Mhz	number	21.05	77.32	72.8%
8525203070	Radio Transceivers, Except Handheld, For Frequencies Exceeding 30 Mhz But Not Exceeding 400 Mhz	number	31.48	169.65	81.4%
8525203080	Radio Transceivers, Except Handheld, For Frequencies Exceeding 400 Mhz	number	25.70	144.17	82.2%
8525303000	Gyrostablized Television Cameras	number	14.80	3,327.53	99.6%
8525306000	Studio Television Cameras, Excluding Shoulder-Carried And Other Portable Cameras	number	70.23	4,934.25	98.6%
8525309005	Television Cameras, Nesoi, Color	number	23.70	63.63	62.8%
8525309060	Television Cameras, Except Color	number	25.04	75.15	66.7%
8525408050	Camcorders, Not 8Mm	number	158.87	328.36	51.6%
8525408085	Still Image Video Cameras, Othr	number	27.28	95.90	71.6%
8526910020	Radio Navigational Aid Apparatus, Reception Only Type	number	74.45	242.45	69.3%
8526910040	Radio Navigational Aid Apparatus, Nesoi	number	25.39	146.70	82.7%
8527211015	Motor Vehicle Radio-Tape Players, Cassette, Stereo	number	29.85	65.11	54.2%
8527211030	Motor Vehicle Radio-Tape Players, Nesoi	number	8.95	35.53	74.8%
8527214080	Motor Vehicle Radio-Combinations, Nesoi	number	31.42	109.06	71.2%
8527298060	Motor Vehicle Radio Receivers, Nesoi	number	29.67	123.71	76.0%
8527909540	Radtplehc Rec Etc,Frq30<X=<400	number	11.47	78.01	85.3%
8527909550	Rdo Pag Rec Oth Fq>400<=1000Mh	number	24.02	131.77	81.8%
8528123600	Reception App For Tv, Color, Non-High Definition, Projection Type, With A Cathode-Ray Tube, Incorporating Video Recording Or Reproducing Apparatus	number	135.40	976.66	86.1%

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HS Item	Commodity Description	Units	Price per Unit in \$s		China Price % less than All Other
			China	All Other Sources	
8528124800	Reception Apparatus For Tv, Color, High-Definition, Non-Projection Type, With A Cathode-Ray Tube, Nesoi	number	247.18	544.83	54.6%
8528126401	Reception App. Fr Tv, Color, With A Flat Panel Screen, Incorporating Video Recording Or Reproducing Apparatus, Video Display <= 34.29 Cm, Other	number	368.77	907.94	59.4%
8528130020	Reception Apparatus For Tv, Monochrome, Having A Single Picture Tube Intended For Direct Viewing, With A Video Display Diagonal Not Exc 17 Cm	number	14.27	33.21	57.0%
8528130035	Reception Apparatus For Tv, Monochrome, Having A Single Picture Tube Intended For Direct Viewing, With A Video Display Diagonal > 26 Cm But =< 33 Cm	number	16.33	48.34	66.2%
8528130050	Reception Apparatus For Tv, Monochrome, Having A Single Picture Tube Intended For Direct Viewing, With A Video Display Diagonal Exceeding 48 Cm	number	23.50	72.46	67.6%
8528211000	Video Monitors, Color, Incomplete, Not Incorporating A Cathode-Ray Tube, Flat Panel Screen Or Similar Display Device, Nesoi	number	74.17	408.70	81.9%
8528211901	Video Monitors, Color, Non-High Definition, Having A Single Pic Tube For Dir Viewing, Incorp Video Recordng/Reproduc With Disp Gt 34.29 But Lt=35.5	number	71.74	276.86	74.1%
8528213900	Video Monitors, Color, Non-Hi Definition, Single Pic Tube For Direct Viewing With A Video Display Diagonal Exceeding 35.56 Cm, Nesoi	number	59.60	287.76	79.3%
8528214900	Video Monitors, Color, Hi-Definition, Non-Projection Type, With A Cathode Ray Tube, Nesoi	number	96.79	1,460.67	93.4%
8528217001	Video Monitors, Color, With A Flat Panel Screen, Nesoi, With A Video Display Diagonal Gt 34.29 Cm	number	963.53	1,961.25	50.9%
8528219001	Reception App For Television, Video Monitors, Color, Nesoi, With A Video Display Diagonal Exceeding 34.29 Cm	number	109.64	795.85	86.2%
8528306801	Recept. App. For Televis. Video Project, Color, F Lat Panel Screen, Nesoi, Video Display Diagonal Gt 34.29 Cm	number	854.96	5,209.72	83.6%

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			China	All Other Sources	
8528307800	Video Projectors, Color, Nesoi	number	636.17	2,494.25	74.5%
8528309000	Video Projectors, Black And White Or Other Monochrome	number	44.65	109.59	59.3%
8529104040	Radar, Radio Navigational Aid And Radio Remote Control Antennas	number	5.82	27.20	78.6%
8529900300	Prntd Cir Assem,Prntd Cir Brd & Ceramic Substrat W/ Compnts Assembl Thereon,Fr Colr Tv Receivers,Sbassem Ctnng 1 Or > Of Such Brds Entrd W/ Components	number	6.98	31.76	78.0%
8529900600	Prntd Cir Assem,Prntd Cir Brd & Ceramic Substrat W/ Compnts Assembl Thereon,Fr Colr Tv Recvrs,Subassem Ctnng 1 Or > Of Such Brds Or Sbstr,Not W/Compn	number	6.55	19.32	66.1%
8529903300	Parts Of Television Receivers,Subassemblies For Color Tv Receivers Containing 2 Or > Printed Circuit Boards Or Ceramic Substrates Entered With Compnt	number	2.18	137.97	98.4%
8529903600	Parts Of Television Receivers,Subassemblies For Color Tv Receivers Conatining 2 Or More Prnt Cir Brds Or Ceramic Substrat With Compnt, Nesoi	number	1.99	114.92	98.3%
8529904300	Combinatn Of Prts Specifd In Add U.S. Note 10 To This Chpt:Subassem,Fr Clr Tv Recvrs,Contng 2 Or >Pc Brds Or Ceramc Substrat W/Compnt,Entrd W/Compnts	number	27.66	72.64	61.9%
8529908800	Sbasmb F/Tv Ent W/Usnote4	number	4.95	36.24	86.3%
8531100025	Smoke Detectors, Nesoi	number	7.08	15.45	54.2%
8531100035	Burglar Alarms, Electric	number	8.76	22.74	61.5%
8532220040	Fixed Capacitors, Aluminum Electrolytic,Exceeding 18 Mm But Not Exceeding 35 Mm In Diameter	number	0.04	0.11	67.5%
8532230040	Fixed Capacitors, Ceramic, Dielectric, Single Layer, Axial Leads	number	0.01	0.08	82.3%
8532240020	Fixed Capacitors, Ceramic, Dielectric, Multilayer, Chips	number	0.00	0.01	56.5%
8532250055	Fixed Capacitors, Paper, Plastic, Nesoi, Leadless, Dielectric	number	0.03	0.10	70.0%
8532250060	Fixed Capacitors, Paper, Plastic, Nesoi, Axial Leads, Dielectric	number	0.07	0.27	72.8%

Illustrative List of Chinese Underselling -- HS Chapters 84 and 85:
Comparison of US Imports from China and All Other Sources
10-Digit Line Items where the China Price is more than 50% less than the All Other Price

HS Item	Commodity Description	Units	Price per Unit in \$s		China Price % less than All Other
			China	All Other Sources	
8532300090	Variable Or Adjustable Capacitors, Nesoi	number	0.12	0.33	62.8%
8533408040	Rheostat And Resistor Type Motor Starters And Controllers	number	0.30	0.62	52.3%
8535100040	Fuses For A Voltage Exceeding 1,000 V But Under 2,300 V	number	0.13	0.65	80.0%
8535210000	Automatic Circuit Breakers For A Voltage Exceeding 1000 V But Less Than 72.5 Kv	number	2.02	8.53	76.3%
8535290040	Automatic Circuit Breakers In Circuits Of 72.5 Kv But Less Than 345 Kv	number	2.08	16.73	87.6%
8535300040	Isolating And Make And Break Switches, Knife Type, For A Voltage Exceeding 1,000 V	number	0.21	53.67	99.6%
8535300080	Lightning Arrestors, Surge Suppressors, Voltage Limiters, For A Voltage Exceeding 1,000 V	number	0.84	5.48	84.7%
8536100040	Fuses, Except Glass Cartridge, For A Voltage Not Exceeding 1,000 V	number	0.08	0.23	65.3%
8536200020	Automatic Circuit Breakers, Molded Case, For A Voltage Not Exceeding 1,000 V	number	0.86	3.58	75.9%
8536200040	Automatic Circuit Breakers, Nesoi, For A Voltage Not Exceeding 1,000 V	number	0.88	3.18	72.4%
8536410005	Automotive Signaling Flashers	number	0.54	1.62	66.6%
8536490055	Relays, Except Electromechanical, With Contacts Rated At Less Than 10 A, For A Voltage Exceeding 60 V	number	0.68	4.55	85.1%
8536490065	Contactors For A Voltage Exceeding 60 V But Not Exceeding 1,000 V	number	1.66	7.76	78.6%
8536504000	Motor Starters, For A Voltage Not Exceeding 1,000 V	number	0.12	2.35	94.8%
8536509020	Rotary Switch,Nt O/5A,V<=1000	number	0.61	1.52	59.6%
8536509031	Psh-Butn Swtch,<=5A,Momentary	number	0.10	0.36	71.0%
8536509032	Psh-Btn Swtch,<=5A,Gang Switch	number	0.05	0.14	61.9%
8536509033	Psh-Btn Swtch,<= 5A,Other	number	0.16	0.47	65.6%
8536509035	Push-Button Switch, Rated O/5A	number	0.17	0.52	66.8%
8536509040	Snap-Act Switches,Oth Thnlimit	number	0.34	0.74	53.5%
8536509045	Knife Type Switches, F/Volt Ov	number	1.97	8.19	75.9%

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HS Item	Commodity Description	Units	Price per Unit in \$s		China Price % less than All Other
			China	All Other Sources	
8536509050	Slide Type Switches, F/Voltage	number	0.21	0.63	67.1%
8536908030	Junction Boxes For Switching/	number	1.20	8.09	85.2%
8537106000	Motor Control Centers, For A Voltage Not Exceeding 1,000 V	number	19.60	41.52	52.8%
8537109020	Switchgear Assemblies And Switchboards For A Voltage Not Exceeding 1000 V	number	3.32	71.70	95.4%
8537109050	Panel Boards And Distribution Boards, For Voltages <= 1,000 Volts	number	14.52	57.03	74.5%
8537109060	Programable Controllers	number	4.10	21.01	80.5%
8537200040	Electrical Apparatus Nesoi Equipped With Two Or More Apparatus From Heading 8535 Or 8536 For A Voltage Exceeding 1,000 V	number	7.08	154.51	95.4%
8539100010	Sealed Beam Lamp Units, Under 15.24 Cm, For Vehicles Of Subheading 8701.20 Or Heading 8702,8703,8704,8705,Or 8711	number	2.39	7.21	66.8%
8539212080	Tungsten Halogen Filament Lamps Designed For A Voltage Not Exceeding 100 V, Nesoi	number	0.65	1.40	53.8%
8539214080	Tungsten Halogen Filament Lamps Designed For A Voltage Exceeding 100 Volts, Of A Power 500 W Or More	number	0.88	3.13	72.0%
8539294000	Filament Lamps, Nesoi, For A Voltage Exceeding 100 V	number	0.13	0.37	63.6%
8539320040	Discharge Lamps, (Ex Ultraviolet), Mercury Vapor	number	2.06	8.44	75.6%
8539320090	Discharge Lamps, (Ex Ultraviolet), Other Metal Halide Lamps	number	3.09	15.26	79.7%
8539390000	Discharge Lamps, Except For Ultraviolet, Nesoi	number	0.83	2.83	70.8%
8540111030	Cathode Ray Tv & Video Monitor Tubes, Color, Non-High Definition, Non-Projection, Video Display Exceeding 35.56 Not Exceeding 39Cm	number	58.52	254.63	77.0%
8540112401	Cathode Ray Tv & Video Monitor Tubes, Color, Non-High Definition, Non-Projection, Video Display Diagonal Not Exceeding 34.29 Cm	number	30.85	135.85	77.3%
8540113000	Cathode Ray Tv & Video Monitor Tubes, Color, High-Definition Having Video Display Exceeding 35.56 Cm	number	86.46	276.63	68.7%

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HS Item	Commodity Description	Units	Price per Unit in \$s		China Price % less than All Other
			China	All Other Sources	
8540121080	Cathode Ray Tv Picture Tubes, Monochrome, Non-High Definition, Non Projection, Having Dimension Across Faceplate Greater Than 29 N/O 42 Cm	number	69.51	170.63	59.3%
8540125040	Cathode Ray Tv Picture Tube, Monochrome, Non-High Definition, Projection, Nesoi	number	10.58	25.04	57.8%
8540400020	Data/Graphic Display Tubes, Color, With A Phosphor Dot Screen Pitch Smaller Than .4Mm, Having A Video Display Diagonal Not Exceeding 30Cm	number	22.75	452.47	95.0%
8540400080	Data/Graphic Display Tubes, Color, With A Phosphor Dot Screen Pitch Smaller Than .4Mm, Having A Video Display Diagonal Exceeding 36Cm	number	40.80	89.28	54.3%
8540500000	Data/Graphic Display Tubes, Black And White Or Other Monochrome	number	11.81	66.17	82.2%
8540600020	Other Cathode Ray Tubes, Nesoi, Having A Video Display Diagonal Not Exceeding 30 Cm	number	48.61	1,026.42	95.3%
8540600080	Other Cathode Ray Tubes, Having A Video Display Diagonal Exceeding 36 Cm	number	71.07	821.22	91.3%
8540890040	Tubes, Nesoi, Diode, Triode, And Tetrode Types	number	21.22	71.74	70.4%
8540890080	Other Thermionic, Cold Cathode Or Photocathode Tubes, Nesoi	number	3.12	17.23	81.9%
8541100040	Unmounted Chips, Dice, Wafers For Diodes Other Than Photosensitive Or Light-Emitting Diodes	number	0.08	0.21	62.9%
8541100050	Zener Diodes	number	0.01	0.04	68.5%
8541100070	Diodes, Other Than Photosensitive Or Led, With A Maximum Current Of 0.5 A Or Less	number	0.01	0.02	60.7%
8541210040	Unmounted Chips, Dice, Wafers For Transistors Other Than Photosensitive With A Dissipation Rate Of Less Than 1W	number	0.12	0.44	73.2%
8541210075	Transistors Other Than Photosensitive, With A Dissipation Rate Of Less Than 1 W, Operating Frequency 100 Mhz And Greater	number	0.02	0.04	53.7%
8541300080	Thyristors, Diacs & Triacs, Other Than Photosensitive Devices	number	0.06	0.32	80.1%
8541406010	Unmounted Chips, Dice Or Wafers For Photosensitive Diodes	number	0.33	1.14	71.3%
8541406050	Photosensitive Diodes, Nesoi	number			88.0%

Illustrative List of Chinese Underselling -- HS Chapters 84 and 85:
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10-Digit Line Items where the China Price is more than 50% less than the All Other Price

HS Item	Commodity Description	Units	Price per Unit in \$s		China Price % less than All Other
			China	All Other Sources	
			0.06	0.51	
8541407080	Photosensitive Transistors	number	0.13	0.28	53.5%
8541409500	Photosensitive Semiconductor Devices, Nesoi	number	0.16	0.73	78.7%
8541500080	Semiconductor Devices, Nesoi	number	0.67	2.86	76.7%
8541600020	Mounted Piezoelectric Crystals, Quartz, Designed For Operating Frequencies Not Exceeding 1 Mhz, Except 32.768 Khz	number	0.23	0.52	55.4%
8541600060	Mounted Piezoelectric Crystals, Quartz, Designed For Operating Frequencies Exceeding 20 Mhz	number	0.22	0.47	54.3%
8542218023	Monolithic Integrated Circuits Of Silicon, Digital, Mos Transistor, Volatile Memory, Dram, Over 8 Megabits But Not Over 16 Megabits	number	0.54	1.67	67.5%
8542218089	Monolithic Integrated Circuits Of Silicon, Digital, Bipolar Transistor, Except Memory, Nesoi	number	0.71	1.74	59.4%
8542290030	Monolithic Integrated Circuits, With An Operating Frequency Less Than 100 Mhz, Mixed Signal (Analog/Digital) Logic, Nesoi	number	0.43	0.92	53.9%
8542290040	Monolithic Integrated Circuits, With An Operating Frequency Less Than 100 Mhz, (Analog/Digital), Other Than Logic, Nesoi	number	0.32	0.84	61.3%
8542600095	Hybrid Integrated Circuits, Nesoi	number	1.41	2.92	51.6%
8543110000	Ion Implanters Designed For Doping Semiconductor Wafers	number	5.43	1,971.22	99.7%
8543190000	Particle Accelerators, Nesoi	number	5.91	2,353.84	99.7%
8543200000	Signal Generators	number	5.09	28.96	82.4%
8543400000	Electric Fence Controllers	number	17.94	36.25	50.5%
8543891000	Physical Vapor Deposition (Pvd) Apparatus For Processing Semiconductor Materials Or For Production Of Semiconductors Or Integrated Circuits	number	13,159.00	985,831.39	98.7%
8543897000	Electric Luminescent Lamps	number	1.09	4.82	77.4%
8543898000	Microwave Amplifiers	number	101.80	2,779.66	96.3%

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			China	All Other Sources	
8545904000	Electrical Carbon And Graphite Articles, Nesoi	kilograms	1.50	3.77	60.1%
8546100000	Electrical Insulators Of Glass	number	0.22	0.52	58.4%
8546200030	Electrical Insulators, Suspension Pin-Type Or Line Post Type, Ceramic	number	1.03	2.53	59.5%
8546900000	Electrical Insulators, Nesoi	number	0.16	0.35	54.0%
8547200000	Insulating Fittings For Machines Made Of Plastic	number	0.05	0.20	76.0%
8548100580	Spent Primary Cells, Spent Primary Batteries, And Spent Electric Storage Batteries For Recovery Of Lead, Other Ld-Acid Stor Batteries For Start Engine	number	8.52	68.75	87.6%
8548103500	Waste And Scrap Of Primary Cells, Primary Batteries And Electric Storage Batteries, Nesoi	kilograms	1.74	10.08	82.7%

APPENDIX 3

**EXAMPLES OF OVERREACHING
BY WTO PANELS/APPELLATE BODY/ARBITRATORS
IN DISPUTES AGAINST THE UNITED STATES**
(Listed in order of date of panel report)

No.	WT/DS	Short Title*	Problematic Issues	Trade Remedy Case
1	2	US – Gasoline		
2	24	US – Underwear		
3	33	US – Wool Shirts & Blouses		
4	58	US – Shrimp	GATT Article XX exceptions	
5	99	US – DRAMS	Standard of review	Yes
6	108	US – FSC	<ul style="list-style-type: none"> • Financial contribution/footnote 59 • Countermeasures 	Yes
7	152	US – Section 301 Trade Act		
8	138	US – Lead and Bismuth II	<ul style="list-style-type: none"> • Standard of review • Privatization 	Yes
9	136	US – 1916 Act (EC)	<ul style="list-style-type: none"> • Specific action • Arbitration 	Yes
10	162	US – 1916 Act (Japan)	<ul style="list-style-type: none"> • Specific action • Arbitration 	Yes
11	160	US – Section 110(5) Copyright Act		
12	165	US – Certain EC Products		
13	166	US – Wheat Gluten	<ul style="list-style-type: none"> • Non-attribution analysis • Parallelism 	Yes
14	177/178	US – Lamb	<ul style="list-style-type: none"> • Unforeseen developments • Domestic industry • Non-attribution analysis • Standard of review 	Yes
15	179	US – Stainless Steel (Korea)	<ul style="list-style-type: none"> • Standard of review • Multiple averaging periods 	Yes
16	184	US – Hot-Rolled Steel (Japan)	<ul style="list-style-type: none"> • Standard of review • Non-attribution analysis • Facts available • Calculation of “all others” rate 	Yes
17	192	US – Cotton Yarn	Principle of proportionality	
18	194	US – Export Restraints	Advisory opinion on export restraints	Yes
19	176	US – Section 211 Appropriations Act	<ul style="list-style-type: none"> • Standard of review • Review of municipal laws 	
20	202	US – Line Pipe	<ul style="list-style-type: none"> • Unforeseen developments • Parallelism • Non-attribution analysis • Standard of review 	Yes
21	206	US – Steel Plate (India)	Standard of review	Yes
22	213	US – Carbon Steel (Germany)		Yes
23	221	US – Section 129(c)(1) URAA		Yes

* The short titles used in this list have been adopted based upon a survey of the practice of panels and the Appellate Body in recently issued reports and the Appellate Body Annual Report (WT/AB), as well as the practice of the WTO Secretariat in its “Update of WTO Dispute Settlement Cases” (WT/DS/OV/*).

No.	WT/DS	Short Title*	Problematic Issues	Trade Remedy Case
24	212	US – Countervailing Measures on Certain EC Products	<ul style="list-style-type: none"> • Standard of review • Privatization 	Yes
25	217/234	US – Offset Act	<ul style="list-style-type: none"> • Specific action • Arbitration 	Yes
26	236	US – Softwood Lumber III	<ul style="list-style-type: none"> • Standard of review • Benchmark • Pass-through analysis 	Yes
27	243	US – Textiles Rules of Origin		
28	248/249/ 251/252/ 253/254/ 258/259	US – Steel Safeguards	<ul style="list-style-type: none"> • Explicit findings • Unforeseen developments • Parallelism 	Yes
29	244	US – Corrosion Resistant Steel Sunset	<ul style="list-style-type: none"> • Analysis of challengeable measures (SPB) • Zeroing 	Yes
30	257	US – Softwood Lumber IV (CVD)	Aspects of pass-through analysis	Yes
31	277	US – Softwood Lumber VI (ITC)	Threat of injury analysis	Yes
32	264	US – Final Softwood Lumber V (AD)	Zeroing	Yes
33	268	US – OCTG Argentina	<ul style="list-style-type: none"> • Sunset review waivers • Analysis of challengeable measures (SPB) • Effect of AB decisions on panels 	Yes
34	267	US – Cotton	<ul style="list-style-type: none"> • Domestic support measures • Peace Clause analysis • Serious prejudice analysis • Export credit guarantees • Expired measures 	Yes
35	285	US – Gambling	<ul style="list-style-type: none"> • Analysis of specific commitments • Limitations on market access commitments 	
<ul style="list-style-type: none"> • Cases Against the United States Resulting in WTO Panel/AB/Arbitrator Report: 35 • Cases Involving Trade Remedies (AD/SCM/SG Agreements): 24 • Cases Involving Overreaching: 26 • Cases Involving Trade Remedy and Overreaching: 22 				