



**AN OVERVIEW OF THE ANTIDUMPING  
MEASURES IN LATIN AMERICA AGAINST  
CHINESE PRODUCTS AND THE NEW  
SCENARIO AFTER CHINA'S ACCESSION TO  
THE WTO**

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# AN OVERVIEW OF THE ANTIDUMPING MEASURES IN LATIN AMERICA AGAINST CHINESE PRODUCTS AND THE NEW SCENARIO AFTER CHINA'S ACCESSION TO THE WTO





# ANTIDUMPING CASES AGAINST CHINESE PRODUCTS

## MEXICO

- Number of Cases:

29

- Average Antidumping Right:

211%

- Coincidental cases in Argentina and Brazil:

09





# ANTIDUMPING INVESTIGATION IN MEXICO AGAINST PRODUCTS FROM THE PEOPLE'S REPUBLIC OF CHINA

Product	Final Resolution	Duties and Dates of Legal Effect
Padlocks <b>(Similar case in Brazil and Argentina)</b> Domestic Industry: N/A Importers: N/A	Final Resolution: 14/08/95	Final Resolution: Imposition of antidumping duties of 236%. Legal Effect: 14/08/00
Footwear REVISION Domestic Industry: N/A Importers: N/A	Final Resolution: 27/05/97	Final Resolution: extension of the validity of the definite measures of 165% to 1.105% for 5 more years. Legal Effect: 27/05/02
Carioles REVISION Domestic Industry: N/A Importers: Cosco, Inc. and Graco Children's Product	Final Resolution: 08/09/97	Final Resolution: extension of the legal effect of the definite measures of 21,72% to 105,84% for 5 more years. Legal Effect: 08/09/02



# ANTIDUMPING INVESTIGATION IN MEXICO AGAINST PRODUCTS FROM THE PEOPLE'S REPUBLIC OF CHINA

Product	Final Resolution	Duties and Dates of Legal Effect
Helical drills <b>(similar case in Argentina and Brazil)</b> Domestic Industry: N/A Importers: N/D	Final Resolution: 23/10/97	Final Resolution: Imposition of antidumping duties of 117%. Legal Effect: 23/10/02
Vessel or loose piece of porcelain and Vessel or loose piece of ceramic REVISION Domestic industry: N/A Importers: N/A	Final Resolution: 31/10/97	Final Resolution: extension of the legal effect of the definite measures of 96,06% for 5 mores years. Legal Effect: 31/10/02
Connections of malleable iron <sup>*1</sup> <b>(There is a case in Brazil)</b> REVISION Domestic Industry: N/A Importers: N/A	Final Resolution: 28/07/98	Final Resolution: extension of the legal effect of definite measures of 33,34% for 5 more years. Legal Effect: 28/07/03



# ANTIDUMPING INVESTIGATION IN MEXICO AGAINST PRODUCTS FROM THE PEOPLE'S REPUBLIC OF CHINA

Product	Final Resolution	Duties and Dates of Legal Effect
Candlestick and figures <u>REVISION</u> Domestic Industry: N/A Importers: N/A	Final Resolution: 20/08/98	Final Resolution: extension of the legal effect of the definite measures of 103% for 5 more years. Legal Effect: 20/08/03
Tools <u>REVISION</u> Domestic Industry: N/A Importers: N/A	Final Resolution: 14/11/98	Final Resolution: extension of the legal effect of the definite measures of 312% for 5 more years. Legal Effect: 14/11/03



# ANTIDUMPING INVESTIGATION IN MEXICO AGAINST PRODUCTS FROM THE PEOPLE'S REPUBLIC OF CHINA

Product	Final Resolution	Duties and Dates of Legal Effect
<p>Padlocks</p> <p><b>(There is a case in Brazil and Argentina)</b></p> <p><u>REVISION</u></p> <p>Domestic Industry: Cerraduras y Candados Philips S.A.</p> <p>Importers: Industrias Rihan S.A., Comercial Herramientas Especiales, Ferrefiel S.A., Oscar Cadena S.A.</p> <p>Exporters: Zheijiang Light Industrial Products Imp. &amp; Exp. Corp., Gino Kwong Wah Lock Manufacrury Ltd., Wul (H.K.) Ltd., Chun Fu Hong Ltd, China Hua Yuan Co. Ltd., Mikasa (Hong Kong) Ltd. Exporters, Micota Ltd., Chuan Fu Industrial Corp., China Rey Industrial Ltd., Jenn Hung Industrial Co. Ltd., Gee Bridge International Inc. and Yeti Trading.</p>	<p>Final Resolution:</p> <p>15/12/00</p>	<p>Final Resolution: extension of the legal effect of the definite measures of 181% for 5 more years, starting from 23/09/99.</p> <p>Legal Effect: 23/09/04</p>



## ANTIDUMPING INVESTIGATION IN MEXICO AGAINST PRODUCTS FROM THE PEOPLE'S REPUBLIC OF CHINA

Product	Final Resolution	Duties and Dates of Legal Effect
Organic chemical products REVISION Domestic Industry: N/A Importers: N/A	Final Resolution: 14/11/98	Final Resolution: extension of the legal effect of the definite measures of 208,81% for 5 more years. Legal Effect: 14/11/03
Fluoride grade acid REVISION Domestic Industry: Fluorita de Mexico S.A. Importers: N/A	Final Resolution: 15/12/00	Final Resolution: extension of the legal effect of the definite measures of 16% for 5 more years, starting from 23/09/99. Legal Effect: 23/09/04
Pocket Gas lighters, not refillable Domestic Industry: N/A Importers: N/A	Final Resolution: 14/05/99	Final Resolution: Imposition of antidumping duties of US\$ 0,1232 per piece. Legal Effect: 14/05/04





# ANTIDUMPING INVESTIGATION IN MEXICO AGAINST PRODUCTS FROM THE PEOPLE'S REPUBLIC OF CHINA

Product	Final Resolution	Duties and Dates of Legal Effect
<p>Bicycles (there was a case in Brazil in 88) REVISION Domestic Industry: Associação Nacional dos Fabricantes de Bicicletas Importers: N/A</p>	<p>Final Resolution: 15/12/00</p>	<p>Final Resolution: extension of the legal effect of the definite measures of 144% for 5 more years, starting from 23/09/99. Legal Effect: 23/09/04</p>
<p>Chambers and rims for Bicycles REVISÃO Domestic Industry: Associação Nacional dos Fabricantes de Bicicletas Importer: N/A</p>	<p>Final Resolution: 15/12/00</p>	<p>Final Resolution: extension of the legal effect of the definite measures of 279% for 5 more years, starting from 23/09/99. Legal Effect: 23/09/04</p>
<p>Sulphanylic Acid Domestic Industry: Warner Jenkinson S.A. Importer: N/A</p>	<p>Final Resolution: 04/07/00</p>	<p>Investigation into the process. The last resolution declared the beginning of the investigations.</p>



# ANTIDUMPING INVESTIGATION IN MEXICO AGAINST PRODUCTS FROM THE PEOPLE'S REPUBLIC OF CHINA

Product	Final Resolution	Duties and Dates of Legal Effect
<p><u>Clothes confection (clothes pieces)</u></p> <p><u>REVISION</u></p> <p>Domestic Industry: Câmara Nacional de Indústria Textil, Câmara de Indústria Textil Puebla y Tlaxcala, Câmara de Indústria Textil do Ocidente and Câmara de Indústria de Vestidos.</p> <p>Importers: Distribuidora Liverpool S.A., Sears Roebuck do México S.A. and Associação Nacional de Comércio de Autoserviços de Departamentos.</p>	<p>Final Resolution:</p> <p>15/12/00</p>	<p>Final Resolution: extension of the legal effect of the definite measures for 5 more years, starting from 18/11/99.</p> <p>Legal Effect: 18/11/04</p>
<p><u>Tartaric Acid</u></p> <p>Domestic Industry: Indústria Químicas KCV S.A.</p> <p>Importers: N/A</p>	<p>Final Resolution:</p> <p>10/10/00</p>	<p>Investigation in process. The last resolution declared the beginning of the investigations.</p>
<p>"Timidina"</p> <p>Domestic Industry: Signa S.A.</p> <p>Importers: N/A</p>	<p>Final Resolution:</p> <p>08/11/00</p>	<p>Investigation in process. The last resolution declared the beginning of the investigations.</p>



# ANTIDUMPING INVESTIGATION IN MEXICO AGAINST PRODUCTS FROM THE PEOPLE'S REPUBLIC OF CHINA

Product	Final Resolution	Duties and Dates of Legal Effect
<u>Pencils</u> <b>(same case in Brazil)</b> <sup>1</sup> <u>REVISION</u> Domestic Industry: Grupo Dixon S.A., Lapicera Mexicana S.A. and Berol S.A. Importers: N/A	Final Resolution: 15/12/00	Final Resolution: extension of the legal effect of the definite measures of 451% for 5 more years, starting from of 18/10/99. Legal Effect: 18/10/04
Textile (cotton) <u>REVISION</u> Domestic Industry: N/A Importers: N/A	Final Resolution: 18/10/99	Final Resolution: extension of the legal effect for the definite measures of 331% for 5 more years. Legal Effect: 18/10/04
<u>Textiles (other fibres)</u> <u>REVISION</u> Domestic Industry: N/A Importers: N/A	Final Resolution: 18/10/99	Final Resolution: extension of the legal effect of the definite measures of 331% for 5 more years. Legal Effect: 18/10/04



# ANTIDUMPING INVESTIGATION IN MEXICO AGAINST PRODUCTS FROM THE PEOPLE'S REPUBLIC OF CHINA

Product	Final Resolution	Duties and Dates of Legal Effect
<p>Textiles (synthetic and artificial fibers) REVISION</p> <p>Domestic Industry: Fibras Químicas S.A., Nylon do México S.A., Filamentos Elastométricos do México S.A., Nyltec S.A., Dupek S.A., Arteva Specialities, Fibras Sintéticas S.A., Câmara Nacional da Indústria Textil, Camará da Indústria Textil de Puebla e Tlaxcala and Câmara Textil do Ocidente.</p> <p>Importers: Convertos do México S.A., Cirpro de Delícias S.A., Quiroproductos de Cuauhtémoc S.A., and Cirmex de Chihuahua S.A.</p>	<p>Final Resolution: 15/12/00</p>	<p>Final Resolution: extension of the legal effect of the definite measures of 501% for 5 more years, starting from 19/11/99.</p> <p>Legal Effect: 19/11/04</p>



# ANTIDUMPING INVESTIGATION IN MEXICO AGAINST PRODUCTS FROM THE PEOPLE'S REPUBLIC OF CHINA

Product	Final Resolution	Duties and Dates of Legal Effect
Portable Transmitters <u>REVISION</u> Domestic Industry: Motorola de Mexico S.A. Importers: N/A <b>(similar case in Argentina)</b>	Final Resolution: 13/11/00	Final Resolution: cancelling the definitive antidumping duties of 129% only on imports of portable transmitters manufactured to operate in radio-electric frequency bands of free use and sub-bands 450-470 MHz of the UHF band, with maximum potential of 0,5 Watts, imposed in 18/11/94.
Textiles (gasses) <u>REVISION</u> Domestic Industry: N/A Importers: N/A	Final Resolution: 18/10/99	Final Resolution: extension of the legal effect of the definite measures of 54% for 5 more years, starting from 19/11/99.  Effective: 18/10/04



# ANTIDUMPING INVESTIGATION IN MEXICO AGAINST PRODUCTS FROM THE PEOPLE'S REPUBLIC OF CHINA

Product	Final Resolution	Duties and Dates of Legal Effect
<p>TOYS<sup>1</sup> (There is a safeguard measure in Brasil)</p> <p><u>REVISION</u></p> <p>Domestic Industry: AMIJU, Janel S.A., Naviplastic S.A</p> <p>Importers: N/A</p>	<p>Final Resolution: 15/12/00</p>	<p>Final Resolution: extension of the legal effect of the definite measures of 2,58% a 351% for 5 more years<sup>2</sup>, starting from 25/11/99.</p> <p>The measures were cancelled for some toys and pieces<sup>3</sup>.</p>
<p>Mechanic portable type writers</p> <p>Domestic Industry: Oliveti Lexikon Mexicana S.A. and Oliveti Mexicana S.A.</p> <p>Importers: Olympia de Mexico S.A. and Multitrade Internacional S.A.</p>	<p>Preliminary Resolution: without application of provisional measure - 03/01/00</p>	<p>Final Resolution: without imposition of definitive antidumping duties- non existence of damage- 21/07/00</p>



# ANTIDUMPING INVESTIGATION IN MEXICO AGAINST PRODUCTS FROM THE PEOPLE'S REPUBLIC OF CHINA

Product	Final Resolution	Duties and Dates of Legal Effect
Iron and steel valves (similar case in Argentina and Brasil) REVISION Domestic Industry: Asociación Mexicana de Fabricantes de Válvulas y Conexos, A.C. Importer: Newman's Incorporated (26/05/99)	Preliminary Resolution: application of provisional measure of 125,96 % - 03/02/00	Final Resolution: imposition of definitive antidumping duties of 125,96 % - 03/02/01 Legal Effect: 03/02/06
Phlorphenicol REVISION Domestic Industry: Shering-Plough S.A.	Preliminary Resolution: application of provisional measure of 208,81 % - 09/08/00	Final Resolution: cancelling the definitive antidumping duties of 208,81 % - 21/07/00 Legal Effect: 21/07/05
Machines, apparatus, electric material and its components Revision Domestic Industry: N/A	Preliminary Resolution: application of provisional measure of 129 %	Final Resolution: imposition of definitive antidumping duties of 129% 15/12/00 Legal Effect: 15/12/05



# ANTIDUMPING CASES AGAINST CHINESE PRODUCTS

## BRAZIL

- Number of Cases:

15

- Average Antidumping Right:

86%

- Coincidental cases in Argentina and Mexico:

09







# ANTIDUMPING INVESTIGATIONS IN BRAZIL AGAINST PRODUCTS FROM THE PEOPLE'S REPUBLIC OF CHINA

## I – VALID ANTIDUMPING DUTIES

Product	Applicable Measure in Brazil	Applicable Duty in Brazil	Effectiveness of the Duty
Coloured and Graphite pencils (similar case in Mexico) (R) (Petitioners: Labra – Indústria Brasileira de Lápis S.A and Lápis Johann Faber S.A)	Valid antidumping duty whilst the revision persists.  Resolution CAMEX no. 3/2002.	The rate of applicable duty on the coloured pencil is 202.3%; and 301.5% for the graphite pencil.	Antidumping Duty is valid while the revision persists.
Mushrooms (Petitioner: Associação dos Produtores de Cogumelos de Mogi das Cruzes e Suzano)	Fixed antidumping duty  Administrative rule no. 20 of December 12, 1997	Applicable Net Antidumping Duty of US\$ 1,37/ kg	Jan 02, 2003
New Rubber Tire for bicycles (Petitioner: SINPC, Sindicato Nacional da Indústria de Pneumáticos, Câmaras de Ar)	Fixed antidumping duty  Administrative rule no. 19 of December 12, 1997	The Rate of the applicable duty is 8.5%	Jan. 02, 2003



# ANTIDUMPING INVESTIGATIONS IN BRAZIL AGAINST PRODUCTS FROM THE PEOPLE'S REPUBLIC OF CHINA

## I – VALID ANTIDUMPING DUTIES

Product	Applicable Measure in Brazil	Applicable Duty in Brazil	Effectiveness of the Duty
Iron Magnets in a permanent ring shape (Petitioner: Supergauss Produtos Magnéticos Ltda., Philips do Brasil Ltda, Bravox S.A Indústria e Comércio Eletrônico, Koimãs Comercial e Importadora de Ímãs Ltda, Eletrônica Selenium S.A, Pannasonic Componentes do Brasil S.A)	Fixed antidumping duty Administrative rule no. 10 of June 4, 1998	The rate of the applicable duty is 43%	Jun. 8, 2003
Barium Carbonate (R) (Petitioner: Química Geral do Nordeste)	Fixed antidumping duty Administrative rule no. 14 of 29 June 1998	The rate of the applicable duty is 92%	July 06, 2003
<b>Helical Drill</b> (similar case in Argentina and Mexico) <b>(Peticionária: Dormer Tools S.A. e Metalúrgica Carlos Barbosa Ltda.)</b>	<b>Fixed antidumping duty definitivo.</b> <b>Portaria n. 27 de 24 de dezembro de 1998.</b>	<b>The rate of the applicable duty is 135.11%.</b>	<b>Dec. 24, 2003</b>



# ANTIDUMPING INVESTIGATIONS IN BRAZIL AGAINST PRODUCTS FROM THE PEOPLE'S REPUBLIC OF CHINA

<b>I – VALID ANTIDUMPING DUTIES</b>			
<b>Product</b>	<b>Applicable Measure in Brazil</b>	<b>Applicable Duty in Brazil</b>	<b>Effectiveness of the Duty</b>
<u>Hour glass for Thermos Bottles</u> (similar case in Argentina) (Petitioner: M. Agostini S.A. e Sobradil Invicta S.A.)	Fixed antidumping duty Administrative rule no. 7 of July 6, 1999.	The rate of the applicable duty is 45.3%.	July 21, 2004
<b>Thermos Bottles</b> (Peticionária: M. Agostini S. A. and Sobradil Invicta S. A.)	Fixed antidumping duty Administrative rule no. 7 of July 6, 1999.	The rate of the applicable duty is 47%	July 21, 2004
<b>Table Fans</b> (R) (Petitioner: Arno S.A., Faet S.A, Moulinex do Brasil Ltda.)	Fixed antidumping duty Resolution CAMEX no. 25 of August 7, 2001	The rate of the applicable duty is 45.24%	August 07, 2006



# ANTIDUMPING INVESTIGATIONS IN BRAZIL AGAINST PRODUCTS FROM THE PEOPLE'S REPUBLIC OF CHINA

<b>I – VALID ANTIDUMPING DUTIES</b>			
<b>Product</b>	<b>Applicable Measure in Brazil</b>	<b>Applicable Duty in Brazil</b>	<b>Effectiveness of the Duty</b>
<b>Padlocks</b> (similar case in Argentina and Mexico) <b>(R)</b> <b>(Petitioner: Papaiz e Pado)</b>	<b>Fixed antidumping duty</b> <b>Resolution CAMEX no. 38</b>	<b>The rate of the applicable duty is 60.3%</b>	<b>Dec. 04, 2006</b>
Garlic (Petitioner: ANAPA) <b>(R)</b>	Fixed antidumping duty (administrative appeal in progress) Resolution CAMEX n. 41, of December 19, 2001.	US\$ 0.48/kg.	Dec. 21, 2006



## ANTIDUMPING INVESTIGATIONS IN BRAZIL AGAINST PRODUCTS FROM THE PEOPLE'S REPUBLIC OF CHINA

<b>II-INVESTIGATIONS IN PROGRESS, WITHOUT APPLICABLES DUTIES</b>		
<b>Product</b>	<b>Initiation Date</b>	<b>Current Situation</b>
Metallic Screen (Petitioner: Morlan S.A.)	June 04, 2001	Closing report of the investigation is being drafted.
Glyphosate (Petitioner: Monsanto e Nortox)	August 30, 2001	Research into the domestic industry (March 04-08, 2002).
Iron connections <b>(similar case in Mexico and Argentina)</b> (Petitioner: Tupy)	October 23, 2001	Analysis of the complementary answers and information which were requested.
Coloured and Graphite Pencil (R) <b>(similar case in Mexico)</b> (Petitioner: Labra – Indústria Brasileira de Lápis S.A and Lápis Johann Faber S.A)	February 21, 2002	Questionnaires forwarded on Feb. 26, 2002. Information is to be handed in on the due date of May 07, 2002



# ANTIDUMPING CASES AGAINST CHINESE PRODUCTS

## ARGENTINA

- Number of Cases:

11

- Average Antidumping Right:

598%

- Coincidental cases in Argentina and Mexico:

07





## ANTIDUMPING INVESTIGATIONS IN ARGENTINA AGAINST PRODUCTS FROM THE PEOPLE'S REPUBLIC OF CHINA

Product	Applicable Measure in Argentina	Applicable Duty in Argentina
<u>Padlocks</u> (Similar case in Brazil and Mexico)	Resolution no 59/96.	N/A
Coloured Pencils (Case in Brazil) (Petitioner: BERNAK SOCIEDAD ANONIMA )	Resolution no. 204/00 – initiation of investigation.	There is no duty
Helical drills (similar case in Brazil and Mexico) (Petitioner: EZETA FINANCIERA, INMOBILIARIA, COMERCIAL E INDUSTRIAL SOCIEDAD ANONIMA)	Provisional antidumping duty. Resolution no. 388/99 – initiation of investigation and Resolution no. 19/00 – definitive antidumping duty.	The rate of the applicable duty is 348,50% on drills 338 laminated, 199,20% on drills 338 rectified, 1052,60% on drills 338 titanium coated, 779,71% on drills 345, 916,40%, on drills 8039.



## ANTIDUMPING INVESTIGATIONS IN ARGENTINA AGAINST PRODUCTS FROM THE PEOPLE'S REPUBLIC OF CHINA

Product	Applicable Measure in Argentina	Applicable Duty in Argentina
Plain Uncoloured Glass	Resolution no. 442/99.	N/A
Anatomical “Perchas”	Resolution no. 190/99 – initiation of investigation.	N/A
Locks for moveables and works	Resolution no. 393/98 – initiation of investigation	N/A
Artificial Figs	Resolution no. 620/98 – initiation of investigation	N/A
<u>Televisions</u>	Resolution no. 788/97.	N/A
Locks	Resolution no. 193/97 – initiation of investigation	N/A
Motocar Radios <b>(Similar case in Mexico)</b>	Resolution no. 54/96 – initiation of investigation	N/A
Iron Connections <b>(Similar case in Brazil and Mexico)</b>	Initiation of investigation	N/A