



Office of the U.S. Trade Representative

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RECENT EVENTS

United States Requests Panel to Address Indian Restrictions on Imports

This month, the United States made its second request to the WTO Dispute Settlement Body for establishment of a panel to address Indian import prohibitions on various agricultural products when a country reports outbreaks of low pathogenic avian influenza ("LPAI"). A panel was accordingly established on June 25. The United States and India held consultations in April, but were unable to resolve the dispute. The United States argues that India's measures lack a basis in science, fail to adhere to relevant international standards, and treat imported products in

June Enforcement Update: United States Seeks to Eliminate China's Unfair Export Restraints on Rare Earths



June 27 - United States Trade Representative Ron Kirk announced today that the U. S. has requested the establishment of a World Trade Organization (WTO) dispute settlement panel to decide U.S. claims regarding China's unfair export restraints on rare earths, tungsten and molybdenum. The European Union and Japan have also requested the establishment of panels on this matter today.

"These materials are key inputs in a multitude of U.S. manufacturing sectors and American-made products, including hybrid car batteries, wind turbines, energy-efficient lighting, steel, advanced electronics, automobiles, petroleum and chemicals," said Ambassador Kirk. **"It is vital that**

a manner less favorable than India treats domestic products.

WTO Dispute Settlement Body Adopts Appellate Body Report in Tuna-Dolphin Dispute

On June 13, the WTO Dispute Settlement Body adopted the reports of the Appellate Body and panel on U.S. dolphin safe labeling provisions for tuna products. While the Appellate Body agreed with the United States and overturned a finding by the panel that the United States' measures were more trade restrictive than necessary, the Appellate Body also found that U.S. measures were not applied even-handedly. The United States disagrees with the latter holding.

Both the panel and the Appellate Body concur that the steps taken by United States achieve important U.S. objectives in providing accurate labeling for consumers. The United States will continue to study the

U.S. workers and manufacturers obtain the fair and equal access to raw materials like rare earths that China specifically agreed to when it joined the WTO."

Read the rest of the release [here](#).

United States Wins WTO Steel Dispute with China



June 15 - The WTO released a panel report in the Grain Oriented Electrical Steel (GOES) dispute siding with the United States against China. The panel found that China acted inconsistently with WTO rules, by, for instance, initiating countervailing duty (CVD) investigations based on insufficient evidence, calculating the subsidy rates for U.S. companies in a manner unsupported by the facts, and making unsupported findings of injury to China's domestic industry.

In April 2010, China issued antidumping and countervailing duty determinations on imports of American-made GOES, a specialty steel used by the power generating industry. China imposed dumping ranging from 7.8 percent to 64.8 percent and CVD duties ranging from 11.7 percent to 44.6 percent. The United States requested consultations with China for this dispute in September 2010 and requested a panel, established in March 2011, after consultations failed to resolve the issue.

WTO establishes U.S. requested Dispute Settlement panel in China Broiler Products Case

May 24 - The WTO Director General composed a panel in the United States' dispute concerning China's imposition of antidumping and countervailing duties on American broiler (chicken) products. The United States requested the Director General of the WTO to compose the panel

report and remains committed to ensuring that consumers have access to information about harm caused to dolphins during tuna fishing.

United States Participates in Dispute Settlement Consultations

The United States participated in WTO Dispute Settlement consultations with India late last month and early this month regarding U.S. Department of Commerce countervailing duty determinations and the countervailing duty order related to certain hot-rolled carbon steel flat products from India. This is the result of a consultations request filed by India in late April.

after the United States and China failed to reach an agreement regarding the composition of a panel. The parties will now proceed with their submissions and arguments.

June 2012

					1	2
3	4 DSU Negotiations	5 DSU Negotiations	6 DSU Negotiations	7	8	9
10	11	12	13 Seung Wha Chang sworn in as new Appellate Body Member	14	15 China GOES- Panel Report Released	16
17	18	19	20 DSB Meeting	21	22	23
24	25	26	27 China Rare Earths- U.S. requests panel	28	29	30

Legend	Consultations	Panel	Appellate Body	Implementation	Other
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