



# Office of the U.S. Trade Representative

*Office of Monitoring and Enforcement*  
*Executive Office of the President*

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Monitoring and Enforcement Newsletter

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## **RECENT EVENTS**

### **U.S. Announces Compliance in Antidumping Dispute with China**

On March 26, 2013, the United States announced compliance in a dispute with China on the use of "zeroing" in U.S. antidumping duty investigations on shrimp and diamond sawblades from China. In July 2012, the United States first announced its intention to implement the DSB recommendations and ruling. The United States addressed the DSB's recommendations and rulings prior to the expiry of the reasonable period of time in the dispute.

### **U.S. and Brazil Reach Mutually Agreed Solution in Antidumping Dispute on Orange Juice from Brazil**

On February 27

## **USTR ENFORCEMENT UPDATE**

### **WTO Dispute Settlement Consultations Held in India Solar Case**

**March 18** - World Trade Organization (WTO) dispute settlement consultations were held during the week of March 18, 2013, in regard to the U.S. challenge to India's restrictions on U.S. solar exports. Consultations with the Indian government were requested by the United States on February 6, 2013, relating to India's national solar program, which appears to discriminate against U.S. solar equipment. India requires solar energy producers to use Indian-manufactured solar cells and modules to participate in the program, while also offering subsidies to developers using domestic equipment, greatly restricting India's market to U.S. imports. The Indian national solar policy (JNNSM) appears to be inconsistent with India's obligations under the WTO agreement, which prohibit measures that discriminate in favor of domestically produced goods versus imports.

### **WTO Dispute Settlement Panel Requested in Indonesia Import Licensing Case**

**March 14** - On March 14, 2013, U.S. Trade Representative Ron Kirk announced that the U.S. requested the establishment of a WTO dispute settlement panel concerning Indonesia's trade-restrictive measures on horticultural products, animals, and animal products. These measures serve to protect Indonesia's domestic agricultural industry through import licensing requirements and quotas, while restricting and negatively affecting U.S. exports. Trade restrictive import licensing requirements on horticultural products were first passed in late 2011, and quota reductions for animal products were announced in December 2012.

As a result, "Indonesia's import licensing requirements and quotas adversely affect a wide range of American agricultural exports and severely reduce Indonesian consumers' access to high-quality American

2013, the United States announced that it had reached a mutually agreed solution with Brazil resolving a WTO dispute on antidumping duties calculated using "zeroing" and imposed on imports of certain orange juice from Brazil. The mutually satisfactory solution was a product of constructive efforts by both the United States and Brazil.

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**products,"** stated Ambassador Kirk. He further emphasized that the United States **"will continue to ensure that our trading partners play by the rules and fight to support each job here at home affected by unfair restrictions abroad."**

The United States requested WTO consultations with Indonesia on January 10, 2013. While consultations were held on February 21-22, 2013, they did not resolve the dispute, prompting the United States to request further action on the part of the WTO.

**February 2013**

					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19 <i>EU – Seals: Third Party Session</i>	20 <i>Indonesia – Import Licensing: Consultations</i>	21 <i>Indonesia – Import Licensing: Consultations</i>	22	23
24	25	26 <i>China – Rare Earths: First Panel Meeting</i>	27 <i>DSB Meeting</i> <i>China – Rare Earths: First Panel Meeting</i> <i>Canada – FIT: File third party submission</i>	28 <i>China – Rare Earths: First Panel Meeting</i>		

Legend	Consultations	Panel	Appellate Body	Implementation	Other
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March 2013

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3	4	5	6	7	8	9
10	11	12	13	14 Canada – FIT: Appellate Body Oral Hearing	15 Canada – FIT: Appellate Body Oral Hearing	16
				China – Rare Earths: File answers to panel questions	US – CVD2 (China): File first submission	
17	18	19	20 India – Solar: Consultations	21	22	23
24	25 China – Rare Earths: File U.S. comments on China's answers to first set of Panel questions	26 DSB Meeting	27	28	29	30

<b>Legend</b>	<b>Consultations</b>	<b>Panel</b>	<b>Appellate Body</b>	<b>Implementation</b>	<b>Other</b>
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