



Rules

UNOFFICIAL ROOM DOCUMENT¹

ANTI-DUMPING TECHNICAL GROUP

MEETING TO BE HELD ON 28-29 APRIL 2016

Detailed Agenda

Règles

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Normas

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* In Original language only/En langue originale seulement/En el idioma original solamente.

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**ANTI-DUMPING TECHNICAL GROUP
DETAILED AGENDA FOR OUR MEETING OF 28-29 APRIL 2016**

DETAILED AGENDA¹

Dear colleagues,

In my fax of 17 February, I proposed that the Technical Group take up, at its April meeting, two related issues, which represent alternative (or perhaps I should better say complementary) techniques for ensuring a fair comparison between the export price and the normal value: *product matching and adjustments*. I further indicated that I would be following up with a more detailed agenda providing greater specificity regarding the issues to be discussed. I would now like to elaborate somewhat on issues that delegations may want to discuss at that meeting.

Product (and other) Matching. Regarding matching, I propose that we first consider issues relating to the *gathering* of the relevant information. Do you ask complainants to include in their applications information about product categorization and matching? Do you conduct your own research on these issues? Do you seek inputs from exporters through a specific preliminary questionnaire? Do you provide an early opportunity for comment to interested parties? Regarding the *substantive criteria* relevant to matching, what core criteria do you rely upon (physical characteristics, market characteristics, cost differences, end-uses?). Which ones do you place most weight upon? Regarding *assessment*, do you provide exporters with information about the criteria used? When? What if the information provided is not consistent with your criteria? Do you use software tools to match products? Finally, do you engage in matching of transactions on bases other than characteristics of the product itself? For example, do you match based upon levels of trade? Quantities? Sub-periods of the POI?

Adjustments. Generally, why do you make adjustments? Are they warranted wherever there are differences in costs? Do you make adjustments to the export prices, normal values or both? How do you deal with overlaps between different types of adjustments? Regarding differences in *conditions and terms of sale*, do you provide a list of such possible adjustments to exporters? What types of requests for adjustments do you typically receive? Does the questionnaire indicate the information needed to support requests for adjustments, and how should an exporter can demonstrate an effect on price comparability? How do you treat non-transaction-specific expenses, such as advertising expenses? Regarding differences in *physical characteristics*, how do you evaluate whether a physical difference warrants an adjustment to maintain price comparability? Who bears the burden of demonstrating that the difference affects price comparability? Do you take into account cost differences? What if there are price differences but no cost differences between models? Why do you make *level of trade* adjustments? Are you simply concerned with differences in types of customers, or about different functions performed, and costs incurred, by exporters at different levels of trade? Do you have pre-determined customer categories? Regarding differences in *quantities*, under what circumstances would such differences be considered to affect price comparability? Do you have standard tests or thresholds? To what extent do adjustments for differences of level of trade and quantities overlap? Regarding differences in *taxation*, what kind of information do you require? Do you always make duty drawback adjustments, or only in cases where the imported goods subject to duty are used for production in both the home and export markets? What other types of adjustments do you make?

Finally, it might be interesting to explore to what extent you apply the kinds of fair comparison methodologies you use in dumping margin calculations in the *injury context*, for example when examining price undercutting.

This is by no means a comprehensive list of issues, but I hope it provides you with some orientation. This is a highly technical area, and I would encourage you all to identify other areas that I have surely missed regarding these matters. I look forward to seeing you in April.

¹ This detailed agenda was originally circulated via fax by Hannes Welge, Chairman of the Technical Group, on 11 March 2016.