

UNITED STATES - INVESTIGATION OF CIRCUMVENTION OF
ANTI-DUMPING ORDER ON COLOUR TELEVISION PICTURE TUBES

Request for Consultations under Article XXII
by Canada

The following communication, dated 16 October 1990, sent by the Permanent Mission of Canada to the United Nations to the GATT Secretariat, is circulated in accordance with paragraph C.3 of the CONTRACTING PARTIES' 1989 Decision on Improvements to the GATT Dispute Settlement Rules and Procedures (L/6489).

The Delegation of Canada wishes to advise contracting parties that the United States Department of Commerce has initiated an inquiry on August 27, 1990, respecting the alleged circumvention of the existing anti-dumping order on colour picture tubes from various countries, including Canada. United States authorities are investigating whether the shipment of colour picture tubes to Mexico, their assembly into colour TV sets and the export of said TV sets to the United States constitute a circumvention of the 1987 anti-dumping order on colour picture tubes from Canada, Japan, Singapore and Korea.

If the existing anti-dumping order is extended to include colour TVs from Mexico, Canadian exports of colour picture tubes to Mexico would be adversely affected.

Canadian authorities consider this anti-circumvention inquiry unwarranted and unjustified. Neither anti-circumvention investigations nor anti-circumvention measures are provided for in the General Agreement or the Anti-Dumping Code. If United States authorities believe that circumvention of an existing anti-dumping order is occurring by the transformation of a product in a third country, the appropriate course of action is to initiate a new anti-dumping investigation regarding the transformed product. In this case, the appropriate course of action is for the United States to investigate whether imports of colour TV sets from Mexico are being dumped and are injuring United States producers of the like product.