

# GENERAL AGREEMENT ON

RESTRICTED

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## TARIFFS AND TRADE

Special Distribution

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Committee on Anti-Dumping Practices

Original: English

### REQUEST BY CANADA FOR CONSULTATIONS WITH THE UNITED STATES UNDER ARTICLE 15:2 OF THE AGREEMENT

The following communication has been received from the Permanent Mission of Canada with the request that it be circulated to the Parties to the Agreement.

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The Delegation of Canada wishes to advise parties to the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade that the United States Department of Commerce has initiated an inquiry on 27 August 1990, respecting the alleged circumvention of the existing anti-dumping order on colour picture tubes from various countries, including Canada. The 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.

The 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 the 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.

Accordingly, Canada suggests consultations with the United States authorities pursuant to Article 15.2 of the Anti-Dumping Code with a view to seeking a satisfactory resolution of this matter.