



Timeline for US-China Bilateral Trade Enforcement Actions

(As of May 21, 2010)

World Trade Organization (WTO) Cases Filed by the United States Against China (2 active cases; 6 completed cases)

ACTIVE

Market Access for Copyrighted Media Products DS 363

April 10, 2007	The United States files a request for consultations regarding restrictions placed on foreign companies that sell copyrighted media products.
November 27, 2007	The WTO grants the second US request to form a dispute settlement panel. China blocked the first US request on October 22, 2007.
March 27, 2008	WTO director general appoints panelists.
August 12, 2009	Panel publicly issues a report that Chinese restrictions on the importation and distribution of copyright-intensive goods violate China's WTO commitments.
September 22, 2009	China appeals panel decision.
December 21, 2009	Appeals panel rejects China's appeal. The dispute settlement body (DSB) will adopt the decision within 30 days, and China will have until late February 2010 to determine whether it will implement the decision.
February 18, 2010	China agrees to implement the DSB ruling. The United States and China will negotiate what constitutes a reasonable period of time for China to comply.

Raw Materials

DS 394

June 23, 2009	The United States files a request for consultations regarding export restraints placed on raw materials.
November 4, 2009	The United States requests the formation of a dispute settlement panel.
December 21, 2009	The WTO grants the second US request to form a dispute settlement panel. China blocked the first US request on November 18, 2009.
March 29, 2010	Panel is formed.

May 7, 2010 Panel issues a preliminary ruling that narrows the scope of its review to the measures specifically identified by the complainants.

September 2010 First panel report statutorily due to parties.

COMPLETED

Integrated Circuits Value-Added Tax (VAT)

DS 309

March 14, 2004 The United States files a request for consultations regarding China's preferential VAT rebates for domestically produced or designed integrated circuits.

July 14, 2004 The United States and China notify the DSB that they have reached an agreement.

October 5, 2005 The United States and China notify DSB that the issue has been successfully resolved.

Auto Parts

DS 340

March 30, 2006 The United States files a request for consultations regarding PRC policies that impose local content requirements for auto parts.

October 26, 2006 The WTO grants the second US request to form a dispute settlement panel. China blocked the first US request on September 28, 2006.

January 29, 2007 Panel is formed.

March 20, 2008 Panel releases final report upholding interim decision that China's local content requirements for auto parts violate its WTO commitments.

July 18, 2008 Final report publicly released.

September 15, 2008 China appeals panel report.

December 15, 2008 Appeals panel rejects China's appeal.

January 12, 2009 DSB adopts panel ruling.

February 11, 2009 China states it will implement the panel ruling.

September 1, 2009 China implements panel ruling by revising its auto industry development policy to discriminatory tax favoring domestically produced auto parts.

Subsidies for Foreign-Invested Enterprises (FIEs)

DS 358

February 2, 2007 The United States files a request for consultations regarding Chinese subsidies paid to FIEs.

August 31, 2007 The WTO grants the second US request to form a dispute settlement panel. China blocked the first US request on July 12, 2007.

December 19, 2007 The United States and China sign a memorandum of understanding (MOU) to eliminate the subsidies that are challenged in the case.

January 1, 2008	Agreement signed between the United States and China takes effect. The United States has not formally withdrawn the case, but the case will not move forward unless the subsidies reemerge.
April 10, 2008	US antidumping and countervailing duty petitions filed by US steel manufacturers allege China has violated the MOU by continuing certain subsidy programs. The Office of the US Trade Representative (USTR) continues to monitor subsidies and has not found any violation of the MOU to date. No further WTO action based on allegations is expected.

Intellectual Property Rights (IPR) Protection and Enforcement

DS 362

April 10, 2007	The United States files a request for consultations.
September 25, 2007	The WTO grants the second US request to form a dispute settlement panel. China blocked the first US request on August 31, 2007.
December 13, 2007	WTO director general appoints panelists.
January 26, 2009	Panel publicly releases report that finds China's Copyright Law and customs measures are inconsistent with its obligations under the Trade-Related Aspects of Intellectual Property Rights agreement.
March 20, 2009	DSB adopts panel ruling.
April 15, 2009	China signals its intentions to adopt the panel's ruling.
July 20, 2009	China states it will implement panel's ruling.
March 19, 2010	China announces at a DSB meeting that it has fully complied with the WTO ruling. (The PRC Copyright Law was revised on February 26 and the Customs IPR Regulations were revised on March 17.)

Financial News Services

DS 373

March 3, 2008	The United States files a request for consultations regarding China's treatment of foreign suppliers of financial information services.
April 2008	The United States and China begin consultations.
November 13, 2008	The United States and China sign an MOU to resolve the issues raised in the WTO case.
January 31, 2009	The PRC State Council Information Office (SCIO) is named the new independent regulator. The United States supports this action.
April 30, 2009	China issues new regulations for the foreign financial news services industry.
June 1, 2009	China's new financial news services industry regulations take effect. The USTR continues to monitor SCIO to assess whether China is complying with the MOU signed in November.

Famous Brands

DS 387

December 19, 2008	The United States files request for consultations regarding government subsidies that promote Chinese "famous
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February 2009	brands” merchandise.
December 18, 2009	The United States and China begin consultations.
April 12, 2010	The United States and China announce agreement for China to terminate the government subsidies in question.
	China announces that on December 29, 2009 it modified the <i>Administrative Measures for China Top Brands</i> to comply with the agreement it reached with the United States.

WTO Cases Filed by China Against the United States (3 active cases)

Antidumping and Countervailing Duties	DS 379
September 19, 2008	China files request for consultations regarding US policy to treat China as a non-market economy when imposing antidumping and countervailing duty safeguards.
January 20, 2009	The WTO grants China’s second request to form a dispute settlement panel. The United States blocked China’s first request on December 22, 2008.
March 11, 2009	Panel is formed.
November 18, 2009	Panel delays the deadline for issuing its final report.
Poultry	DS 392
April 17, 2009	China files request for consultations regarding US legislation that bans funds to facilitate allowing imports of cooked poultry from China.
July 31, 2009	The WTO grants China’s second request to form a dispute settlement panel. The United States blocked China’s first request on June 23, 2009.
July 2010	Dispute settlement panel plans to issue its final report to parties.
421 Safeguard on Tires	DS 399
September 14, 2009	China files request for consultations regarding use of 421 safeguard to impose tariffs on imports of certain passenger-vehicle and light-truck tires from China.
January 19, 2010	The WTO grants China’s second request to form a dispute settlement panel. The United States blocked China’s first request on December 21, 2009.
March 12, 2010	Panel is formed.
September 2010	First panel report statutorily due to parties.

421 Safeguard Cases Against China (1 completed case)

Certain Passenger-Vehicle and Light-Truck Tires	TA 421-7
April 20, 2009	US International Trade Commission (ITC) begins

	investigation following a petition filed by United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial, and Service Workers International Union.
June 18, 2009	ITC issues determination that certain passenger-vehicle and light-truck tire imports are unfairly harming US industry.
June 29, 2009	ITC issues trade-remedy recommendation to impose regressive import tariffs on certain passenger-vehicle and light-truck tires over a three-year period of 55, 45, and 35 percent, respectively.
July 9, 2009	ITC transmits recommendations to the US president and USTR.
September 2, 2009	USTR transmits recommendations to the US president.
September 11, 2009	The US president decides to impose trade-remedy tariffs over the next three years of 35, 30, and 25 percent, respectively.
September 14, 2009	China files requests for WTO consultations (see above).
September 26, 2009	Tariff is implemented.

US Countervailing Duty (CVD) Cases Against China (10 active cases)

Pre-Stressed Concrete Steel Wire Strand	DOC No. C-570-946; ITC No. 701-TA-464
May 27, 2009	ITC begins preliminary investigation following a petition filing by American Spring Wire Corp., Bedford Heights, OH; Insteel Wire Products Co., Mt. Airy, NC; and Sumiden Wire Products Corp., Dickson, TN.
July 13, 2009	ITC issues preliminary determination finding reasonable indication that a US industry is materially injured. Views transmitted to the US Department of Commerce (DOC) on July 13, 2009.
November 2, 2009	DOC October 26, 2009 preliminary determination takes effect, with net subsidy rates ranging from 7.53 to 12.06 percent.
May 21, 2010	DOC May 14, 2010 final determination takes effect, with net subsidy rates ranging from 8.85 to 45.85 percent.
June 22, 2010	Deadline for ITC final determination.
Steel Grating	DOC No. C-570-948; ITC No. 701-TA-465
May 29, 2009	ITC begins preliminary investigation following a petition filing by Alabama Metal Industries, Birmingham, AL; and Fisher & Ludlow, Wexford, PA.
July 13, 2009	ITC issues preliminary determination finding reasonable indication that a US industry is materially injured. Views transmitted to DOC on July 13, 2009.
November 3, 2009	DOC October 26, 2009 preliminary determination takes effect, with net subsidy rates of 7.44 percent.

May 21, 2010	Deadline for DOC final determination.
Wire Decking	DOC No. C-570-950; ITC No. 701-TA-466
June 5, 2009	ITC begins preliminary investigation following a petition filing by AWP Industries, Inc., Frankfort, KY; ITC Manufacturing, Inc., Phoenix, AZ; J&L Wire Cloth, Inc., St. Paul, MN; Nashville Wire Products Mfg. Co., Inc., Nashville, TN; and Wireway Husky Corp., Denver, NC.
July 27, 2009	ITC issues preliminary determination that finds reasonable indication that a US industry is materially injured. Views transmitted to DOC on July 20, 2009.
November 9, 2009	DOC November 2, 2009 preliminary determination takes effect, with net subsidy rates ranging from 2.02 to 437.73 percent.
May 27, 2010	Deadline for DOC final determination.
Narrow Woven Ribbons with Woven Selvedge	DOC No. C-570-953; ITC No. 701-TA-467
July 9, 2009	ITC begins preliminary investigation following a petition filing by Berwick Offray LLC and its wholly owned subsidiary, Lion Ribbon Co., Inc., Berwick, PA.
September 1, 2009	ITC issues preliminary determination that finds reasonable indication that a US industry is materially injured. Views transmitted to DOC on August 31, 2009.
December 14, 2009	DOC December 4, 2009 preliminary determination takes effect, with net subsidy rates ranging from 0.29 to 118.68 percent.
July 12, 2010	Deadline for DOC final determination.
Magnesia Carbon Bricks	DOC No. C-570-955; ITC No. 701-TA-468
July 29, 2009	ITC begins preliminary investigation following petition filing by Resco Products, Inc., Pittsburgh, PA.
September 22, 2009	ITC issues preliminary determination that finds reasonable indication that a US industry is materially injured. Views transmitted to DOC on September 14, 2009.
December 23, 2009	DOC publishes the December 16, 2009 preliminary determination that countervailing subsidies are not being provided to Chinese producers and exporters.
July 23, 2010	Deadline for DOC final determination.
Seamless Carbon and Alloy Steel Standard, Line, and Pressure Pipe	DOC No. C-570-957; ITC No. 701-TA-469
September 16, 2009	ITC begins preliminary investigation following petition filing by US Steel Corp., Pittsburgh, PA; and V&M Star LP, Houston, TX.
November 2, 2009	ITC issues preliminary determination that finds reasonable indication that a US industry is materially injured. Views transmitted to DOC on November 2, 2009.
March 1, 2010	DOC February 22, 2010 preliminary determination takes effect, with net subsidy rates ranging from 11.06 to 12.97 percent.
July 6, 2010	Deadline for DOC final determination.
Coated Paper for High-Quality Print Graphics	DOC No. C-570-959; ITC No. 701-TA-470-471

September 23, 2009	ITC begins preliminary investigation following petition filing by Appleton Coated, LLC, Kimberly, WI; NewPage Corp., Miamisburg, OH; Sappi Fine Paper North America, Boston, MA; and the United Steel, Paper and Forestry, Rubber Manufacturing, Energy, Allied Industrial and Service Workers International Union, AFL-CIO-CLC, Pittsburgh, PA.
November 17, 2009	ITC issues preliminary determination that finds reasonable indication that a US industry is materially injured. Views transmitted to DOC on November 9, 2009.
March 9, 2010	DOC March 1, 2010 preliminary determination takes effect, with net subsidy rates ranging from 3.92 to 12.83 percent.
July 12, 2010	Deadline for DOC final determination.
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Sodium and Potassium Phosphate Salts	DOC No. C-570-963; ITC No. 701-TA-473
September 24, 2009	ITC begins preliminary investigation following petition filing by ICL Performance Products, LP, St. Louis, MO; and Prayon, Inc., Augusta, GA.
November 17, 2009	ITC issues preliminary determination that finds reasonable indication that a US industry is materially injured. Views transmitted to DOC on November 9, 2009.
March 8, 2010	DOC March 1, 2010 preliminary determination takes effect, with net subsidy rates set at 109.11 percent.
May 24, 2010	Deadline for DOC final determination.
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Drill Pipe	DOC No. C-570-966; ITC No. 701-TA-474
December 31, 2009	ITC begins preliminary investigations following petition filing by VAM Drilling USA Inc., Houston, TX; Rotary Drilling Tools, Beasley, TX; Texas Steel Conversions, Inc., Houston, TX; TMK IPSCO, Downers Grove, IL; and the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, AFL-CIO-CLC, Pittsburgh, PA.
March 8, 2010	ITC issues preliminary determination that finds reasonable indication that a US industry is materially injured. Views transmitted to DOC on February 22, 2009.
June 7, 2010	Deadline for DOC preliminary determination.
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Aluminum Extrusions	DOC No. C-570-968; ITC No. 701-TA-474
March 31, 2010	ITC begins preliminary investigations following petition filing by the Aluminum Extrusions Fair Trade Committee and the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union (USW).
May 17, 2010	Deadline for ITC preliminary determination.

Active CVD Orders (13 Orders)

Date Ordered by Secretary of Commerce	Determined Range of Net Subsidy Rates
Circular Welded Carbon-Quality Steel Pipe July 22, 2008	DOC No. C-570-911; ITC No. 701-TA-447 29.57%–615.92%
Light Walled Rectangular Pipe and Tube August 5, 2008	DOC No. C-570-915; ITC No. 701-TA-449 249.12%–264.64%
Laminated Woven Sacks August 7, 2008	DOC No. C-570-917; ITC No. 701-TA-450 29.54%–352.82%
Sodium Nitrite August 27, 2008	DOC No. C-570-926; ITC No. 701-TA-453 169.01%
New Pneumatic Off-the-Road Tires September 4, 2008	DOC No. C-570-913; ITC No. 701-TA-448 2.45%–14%
Raw Flexible Magnets September 17, 2008	DOC No. 570-923; ITC No. 701-TA-452 109.95%
Lightweight Thermal Paper November 24, 2008	DOC No. C-570-921; ITC No. 701-TA-451 0.57%–137.25%
Circular Welded Carbon-Quality Steel Line Pipe January 23, 2009	DOC No. C-570-936; ITC No. 701-TA-455 33.43%–36.74%
Circular Welded Austenitic Stainless Pipe March 19, 2009	DOC No. C-570-931; ITC No. 701-TA-454 1.1%–299.16%
Citric Acid and Certain Citrate Salts May 29, 2009	DOC No. C-570-938; ITC No. 701-TA-456 3.6%–118.95%
Tow-Behind Lawn Groomers August 3, 2009	DOC No. C-570-940; ITC No. 701-TA-457 13.3%–264.98%
Kitchen Appliance Shelving and Racks September 9, 2009	DOC No. C-570-942; ITC No. 701-TA-458 13.3%–170.82%
Oil Country Tubular Goods January 20, 2010	DOC No. C-570-944; ITC No. 701-TA-463 10.49%-15.78%

Sources: DOC, Office of the USTR, WTO, and ITC