



Timeline for US-China Bilateral Trade Enforcement Actions

(As of May 13, 2009)

Date	Event
March 30, 2006	The United States files a request for consultations.
September 28, 2006	The United States requests the formation of a dispute settlement panel at a meeting of the WTO Dispute Settlement Body (DSB). China blocks the request.
October 26, 2006	DSB accepts the US request to form a dispute settlement panel.
January 29, 2007	Panel is formed.
July 16, 2007	Panel chair informs the DSB that it would not be able to complete its work within six months because of the complexity of the issues presented in this case.
February 13, 2008	Panel rules in a confidential interim decision against China. Report is transmitted to involved parties for comment. Following an additional review period, the panel will issue its final report.
March 20, 2008	Final panel report upholding interim decision against China is announced and transmitted to involved parties.
July 18, 2008	Final report publicly released.
September 15, 2008	China appeals panel report.
December 15, 2008	WTO appellate body issues determination rejecting China's appeal.
January 12, 2009	WTO DSB adopts the appellate body's decision.
February 11, 2009	China agrees to implement the appellate body's decision. The United States and China will negotiate to determine what a reasonable period is. The United States stated China simply needs to remove the discriminatory tax and additional administrative burdens to comply with the ruling.
February 26, 2009	Deadline for parties to agree on what constitutes a "reasonable period" for China to comply with ruling.
September 1, 2009	Date that China has indicated it will begin implementing the panel's ruling.

WTO Intellectual Property Rights Protection and Enforcement Case (DS362)

Date	Event
April 10, 2007	The United States files a request for consultations.
August 13, 2007	The United States requests the formation of a dispute settlement panel to be considered at the next meeting of the WTO DSB.
August 31, 2007	China blocks first request for formation of panel. The United States may again request the formation of a panel at the next meeting of the DSB. China may not block the second request.
September 25, 2007	Panel is formed after second US request. A 45-day period for selection of panelists begins.
November 9, 2007	The 45-day period for selection of panelists expires.
December 3, 2007	US Trade Representative (USTR) asks WTO director general (DG) to appoint panelists. The DG must appoint panelists within 10 days, and neither party may challenge the DG's appointees.
December 13, 2007	WTO DG appoints three panelists.
April 14, 2008	Opening arguments are made at first substantial panel meeting.
January 26, 2009	Panel publicly releases report that finds China's Copyright Law and customs measures inconsistent with its obligations under the Trade-Related Aspects of Intellectual Property Rights agreement.
March 20, 2009	DSB adopts panel report that finds China in violation of its WTO commitments.
April 15, 2009	China signals its intentions to adopt the panel's findings. China has requested a reasonable time to do so, and consultations continue.

If Panel Report Is Not Appealed

Within 60 days of report's transmittal to DSB	DSB adopts panel's report.
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If Panel Report Is Appealed

Within 90 days of appeal	WTO appellate body issues determination and transmits it to DSB.
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Within 60 days of appellate report's transmittal to DSB	DSB adopts appellate report.
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If China Loses

Within a "reasonable period," typically not exceeding 15 months of the DSB adopting the panel or appellate report	China presents a proposal to implement the panel or appellate report.
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If China Loses and Chooses Not to Adopt the Panel Report

Within 20 days of the expiry of the "reasonable	The United States may request DSB permission to impose
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period”

Within 30 days of the expiry of the “reasonable period”

sanctions.

DSB rules on the US request.

WTO Market Access for Products of Copyright Intensive Industries Case (DS363)

Date	Event
April 10, 2007	The United States files a request for consultations.
July 10, 2007	The United States requests supplemental consultations.
October 11, 2007	The United States requests the formation of a dispute settlement panel, to be considered at the next meeting of the WTO DSB. China may block the request at the meeting.
October 22, 2007	China blocks the request for the formation of a dispute settlement panel at the meeting of WTO DSB. The United States may again request the formation of a panel at the subsequent meeting of the DSB. China may not block the second request.
November 27, 2007	Panel is formed after second US request. A 45-day period for selection of panelists begins.
March 27, 2008	WTO DG appoints panelists.
May 2009	Interim panel determination expected.

WTO Foreign Financial News Services Case (DS373)

Date	Event
March 3, 2008	The United States files a request for consultations regarding China’s treatment of foreign suppliers of financial information services.
March 26, 2008	China accepts the European Communities’ request to join the consultations. (EC had a separate case pending on the same issue, DS372.)
April 2008	The United States and China begin consultations.
November 13, 2008	The United States and China sign a memorandum of understanding (MOU) to resolve the issues raised in the WTO case.
January 31, 2009	The State Council Information Office (SCIO) is expected to be named the new independent regulator. The United States supported this action in mid-December. USTR plans to monitor SCIO to assess whether China is complying with the MOU signed in November.
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.

WTO Subsidies Case (DS358)

Date	Event
February 2, 2007	The United States files request for consultations.
July 12, 2007	The United States requests the formation of a dispute settlement panel at the first meeting of the WTO DSB, and China blocks this request. The United States may again request the formation of a panel at the next meeting of the DSB. China may not block the second request.
August 31, 2007	Panel is formed.
December 19, 2007	The United States and China sign an MOU to eliminate the subsidies that are challenged in the case. The agreement takes effect January 1, 2008. The case is not formally withdrawn by the United States, but it will not move forward unless the subsidies reemerge.
April 10, 2008	US antidumping and countervailing duty petition filed by US steel manufacturers allege China has violated the MOU by continuing certain subsidy programs. 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.

WTO Antidumping (AD) and Countervailing Duties (CVD) Case (DS379)

Date	Event
September 19, 2008	China files request for consultations.
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.
July 2009	First panel meeting.

WTO "Famous Brands" Case (DS387)

Date	Event
December 19, 2008	The United States files request for consultations.
February 2009	Consultations began. No new developments have occurred since.

Pending US CVD and AD Cases Against China (12 cases)

Date	Event
<i>Circular Welded Carbon-Quality Steel Pipe from China (DOC No. C-570-911; ITC No. 701-TA-447)</i>	
June 7, 2007	The US International Trade Commission (ITC) begins preliminary CVD and AD investigation following the filing of

	a petition by Allied Tube & Conduit, Harvey, IL; IPSCO Tubulars Inc., Camanche, IA; Northwest Pipe Co., Portland, OR; Sharon Tube Co., Sharon, PA; Western Tube & Conduit Corp., Long Beach, CA; Wheatland Tube Co., Collingswood, NJ; and United Steel Workers, Pittsburgh, PA.
July 23, 2007	ITC issues a preliminary determination that finds reasonable indication that a US industry is materially injured. Views transmitted to the US Department of Commerce (DOC) on July 30, 2007.
November 11, 2007	DOC preliminary CVD determination with net subsidy rates ranging from 0 to 264.98 percent, issued on November 5, takes effect.
June 5, 2008	DOC final determination that countervailable subsidies are provided to producers and exporters of circular welded carbon-quality steel pipe with net subsidy rates ranging from 29.57 to 615.92 percent, issued on May 29, takes effect.
July 15, 2008	ITC determines that an industry in the United States is materially injured by Chinese imports of circular welded carbon-quality steel pipe that is subsidized by the PRC government. Findings transmitted to the Secretary of Commerce. Duty ordered on July 22, 2008.
September 19, 2008	China files a complaint with the WTO on US CVD and AD measures (see WTO case DS 370 above). China and the United States will have 60 days to settle the dispute.
 <i>Circular Welded Carbon-Quality Steel Line Pipe from China and South Korea (DOC No. C-570-936; ITC No. 701-TA-455)</i>	
April 3, 2008	ITC begins preliminary CVD and AD investigation following the filing of a petition by Maverick Tube Corp.; Tex-Tube Co.; and the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union; and the AFL-CIO.
May 19, 2008	ITC determines by a 6-0 vote that there is reasonable indication that a US industry is materially injured. Views transmitted to DOC on May 27, 2008.
September 9, 2008	DOC preliminary CVD determination with net subsidy rates ranging from 18.89 to 31.65 percent, issued on September 2, takes effect.
November 24, 2008	DOC final determination that countervailable subsidies are being provided to producers and exporters of circular welded carbon-quality steel pipe with net subsidy rates ranging from 35.63 to 40.05 percent, issued on November 17, takes effect.
January 7, 2009	ITC issues final CVD determination that finds a US industry in the United States is materially injured by reason of imports from China of circular welded carbon-quality steel pipe that is subsidized by the PRC government. Duty ordered on January 14, 2009.

Citric Acid and Certain Citrate Salts from Canada and China (DOC No. C-570-938; ITC No. 701-TA-456)

April 14, 2008	ITC begins preliminary CVD and AD investigation following the filing of a petition by Archer Daniels Midland Co., Decatur, IL; Cargill, Inc., Wayzata, MN; and Tate & Lyle America's, Inc., Decatur, IL.
May 29, 2008	ITC issues preliminary determination that finds reasonable indication that a US industry is materially injured. Views transmitted to DOC on June 5, 2008.
September 19, 2008	DOC preliminary CVD determination with net subsidy rates ranging from 1.41 to 97.72 percent, issued on September 12, takes effect.
April 13, 2009	DOC final determination that countervailable subsidies are being provided to producers and exporters of citric acids and certain citrate salts with net subsidy rates ranging from 3.6 to 118.95 percent, issued on April 6, takes effect.
May 18, 2009	ITC issues final CVD determination that finds a US industry is materially injured by reason of imports from China of citric acid and certain citrate salts that are being subsidized by the PRC government. Findings will be transmitted to the Secretary of Commerce. A duty will be ordered within a week.

Kitchen Appliance Shelving and Racks from China (DOC No. C-570-942; ITC No. 701-TA-458)

July 31, 2008	ITC begins preliminary CVD and AD investigation following the filing of a petition by Nashville Wire Products Inc., Nashville, TN; SSW Holding Co., Inc., Elizabethtown, KY; the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied- Industrial and Service Workers International Union; and the International Association of Machinists and Aerospace Workers, District Lodge 6, Clinton, IA.
September 15, 2008	ITC issues preliminary determination that finds reasonable indication that a US industry is materially injured. Views transmitted to DOC on September 15, 2008.
January 7, 2009	DOC preliminary CVD determination with net subsidy rates ranging from 13.22 to 197.14 percent, issued December 22, 2008, takes effect.
July 17, 2009	Deadline for DOC final CVD determination.

Laminated Woven Sacks from China (DOC No. C-570-917; ITC No. 701-TA-450)

June 28, 2007	ITC begins preliminary CVD and AD investigation following the filing of a petition by the Laminated Woven Sacks Committee composed of Bancroft Bag, Inc., West Monroe, LA; Coating Excellence International, LLC, Wrightstown, WI; Hood Packaging Corp., Madison, MS; Mid-America Packaging, LLC, Twinsburg, OH; and Polytex Fibers Corp., Houston, TX.
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August 13, 2007	ITC issues preliminary determination that finds reasonable indication that a US industry is materially injured. Views transmitted to DOC on August 20, 2007.
December 3, 2007	DOC preliminary CVD determination with net subsidy rates ranging from 2.57 to 57.14 percent, issued on November 26, takes effect.
June 24, 2008	DOC final determination that finds countervailable subsidies are being provided to producers and exporters of laminated woven sacks with net subsidy rates ranging from 29.54 to 352.82 percent, issued on June 16, takes effect.
July 30, 2008	ITC determines that a US industry is materially injured by reason of imports from China of laminated woven sacks being subsidized by the PRC government. Findings transmitted to the Secretary of Commerce. Duty ordered on August 7, 2008.

Light-Walled Rectangular Pipe and Tube from China, South Korea, Mexico, and Turkey (DOC No. C-570-915; ITC No. 701-TA-449)

June 27, 2007	ITC begins preliminary CVD and AD investigation following the filing of a petition by Allied Tube and Conduit, Harvey, IL.
August 13, 2007	ITC issues preliminary determination that finds reasonable indication that a US industry is materially injured. Views transmitted to DOC on August 20, 2007.
November 30, 2007	DOC preliminary CVD determination with net subsidy rates of 0.27 to 77.85 percent, issued on November 26, takes effect.
June 24, 2008	DOC final determination that finds countervailable subsidies are being provided to producers and exporters of light-walled rectangular pipe and tube with net subsidy rates ranging from 249.12 to 264.64 percent, issued on June 13, takes effect.
July 28, 2008	ITC determines that a US industry is materially injured by reason of imports from China of light-walled rectangular pipe being subsidized by the PRC government. Findings transmitted to the Secretary of Commerce. Duty ordered on August 5, 2008.

Certain Lightweight Thermal Paper from China, Germany, and South Korea (DOC No. C-570-921; ITC No. 701-TA-451)

September 19, 2007	ITC begins preliminary CVD and AD investigation following the filing of a petition by Appleton Papers Inc., Appleton, WI.
November 27, 2007	ITC issues preliminary determination that finds reasonable indication that a US industry is materially injured. Views transmitted to DOC on December 4, 2007.
March 14, 2008	DOC preliminary CVD determination with net subsidy rates ranging from 0.57 to 59.5 percent, issued on March 7,

takes effect.

October 2, 2008

DOC final determination that finds countervailable subsidies are being provided to producers and exporters of lightweight thermal paper with net subsidy rates ranging from .57 to 137.25 percent, issued on September 25, takes effect.

October 30, 2008

ITC determines that a US industry is materially injured by reason of imports from China of certain lightweight thermal paper being subsidized by the PRC government. Findings transmitted to the Secretary of Commerce. Duty ordered on November 10, 2008.

Certain Off-the-Road Tires from China (DOC No. C-570-913; ITC No. 701-TA-448)

June 18, 2007

ITC begins preliminary CVD and AD investigation following the filing of a petition by Titan Tire Corp., Des Moines, IA and AFL-CIO-CLC, Pittsburgh, PA.

August 27, 2007

ITC issues preliminary determination that finds reasonable indication that a US industry is materially injured. Views transmitted to DOC on August 27, 2007.

December 17, 2007

DOC preliminary CVD determination with net subsidy rates of 2.38 to 6.59 percent, issued on December 7, takes effect.

July 15, 2008

DOC final determination that finds countervailable subsidies are being provided to producers and exporters of off-the-road tires with net subsidy rates ranging from 2.45 to 14.00 percent, issued on July 7, takes effect.

August 28, 2008

ITC determines that a US industry is materially injured by reason of imports from China of off-the-road tires being subsidized by the PRC government. Findings transmitted to the Secretary of Commerce. Duty ordered on September 4, 2008.

Raw Flexible Magnets from China and Taiwan (DOC No. 570-923; ITC No. 701-TA-452)

September 21, 2007

ITC begins preliminary CVD and AD investigation following the filing of a petition by Magnum Magnetics Corp., Marietta, OH.

November 5, 2007

ITC issues preliminary determination that finds reasonable indication that a US industry is materially injured. Views transmitted to DOC on November 13, 2007.

February 25, 2008

DOC preliminary CVD determination with net subsidy rates at 70.41 percent, issued on February 19, takes effect.

July 10, 2008

DOC final determination that finds countervailable subsidies are being provided to producers and exporters of raw flexible magnets with net subsidy rates of 109.95 percent, issued on July 2, takes effect.

August 25, 2008

ITC determines that a US industry is materially injured by

reason of imports from China of raw flexible magnets being subsidized by the PRC government. Findings transmitted to the Secretary of Commerce. Duty ordered on September 17, 2008.

Sodium Nitrite from China and Germany (DOC No. C-570-926; ITC No. 701-TA-453)

November 8, 2007

ITC begins preliminary CVD and AD investigation following the filing of a petition by General Chemical Co. Inc., Parsippany, NJ.

December 26, 2007

ITC issues preliminary determination that finds reasonable indication that a US industry is materially injured. Views transmitted to DOC on January 3, 2008.

April 11, 2008

DOC preliminary CVD determination with net subsidy rates ranging from 1.51 to 93.56 percent, issued on April 7, takes effect.

July 8, 2008

DOC final determination that finds countervailable subsidies are being provided to producers and exporters of sodium nitrate with net subsidy rates of 169.01 percent, issued on June 30, takes effect.

August 20, 2008

ITC determines that an industry in the United States is materially injured by reason of imports from China of sodium nitrate being subsidized by the PRC government. Findings transmitted to the Secretary of Commerce. Duty ordered on August 27, 2008.

Tow-Behind Lawn Groomers from China (DOC No. C-570-940; ITC No. 701-TA-457)

June 24, 2008

ITC begins preliminary CVD and AD investigation following a petition filing by Agri-Fab, Inc., Sullivan, IL.

August 8, 2008

ITC issues preliminary determination that finds reasonable indication that a US industry is materially injured. Views transmitted to DOC on August 15, 2008.

November 24, 2008

DOC preliminary CVD determination with net subsidy rates ranging from 0.95 to 254.52 percent, issued on November 17, takes effect.

June 12, 2009

Deadline for DOC final CVD determination.

Welded Stainless Steel Pressure Pipe from China (DOC No. C-570-931; ITC No. 701-TA-454)

January 30, 2008

ITC begins preliminary CVD and AD investigation following a petition filing by Bristol Metals, Bristol, TN; Felker Brothers Corp., Marshfield, WI; Marcegaglia USA Inc., Munhall, PA; Outokumpu Stainless Pipe, Inc., Schaumburg, IL; and the United Steels Workers of America, Pittsburgh, PA.

March 17, 2008	ITC issues preliminary determination finding reasonable indication that a US industry is materially injured. Views transmitted to DOC on March 24, 2008.
July 10, 2008	DOC preliminary CVD determination with net subsidy rates ranging from 1.47 to 106.85 percent, issued on June 30, takes effect.
January 28, 2009	DOC final determination that finds countervailable subsidies are being provided to producers and exporters of sodium nitrate with net subsidy rates ranging from 1.1 to 299.16 percent, issued on January 21, takes effect.
March 11, 2009	ITC determines that a US industry is materially injured by reason of imports from China of welded stainless steel pressure pipe being subsidized by the PRC government. Findings transmitted to the Secretary of Commerce. Duty ordered on March 18, 2009.

Pending 421 Safeguard Cases Against China (1 case)

Date	Event
<i>Certain Passenger Vehicle and Light Truck Tires (TA 421-7)</i>	
April 20, 2009	ITC begins investigation following a petition filing by United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial, and Service Workers International Union.
July 9, 2009	Deadline for transmitting ITC findings to the President and USTR. Final report is scheduled for June 12, 2009.

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