

WTO Cases Brought by China against the United States

No.	Title	Request for Consultations	Panel Report	Appellate Body Report	Status
DS252	Definitive Safeguard Measures on Imports of Certain Steel Products	March 26, 2002	July 11, 2003	November 10, 2003	Panel found in favor of China. United States terminated all safeguard measures subject to the dispute in December 2003.
DS368	Preliminary Antidumping and Countervailing Duty Determinations on Coated Free Sheet Paper from China	September 14, 2007			Negative U.S. International Trade Commission determination terminated the countervailing duty investigation, which rendered continuation of this case unnecessary.
DS379	Definitive Antidumping and Countervailing Duties on Certain Products from China	September 19, 2008	October 22, 2010	March 11, 2011	Appellate Body upheld some but not all of China's claims. The United States agreed to implement Panel recommendations by April 25, 2012. As of September 2012, China said that it did not agree with the U.S. claim that it had fully complied with the recommendations and rulings.
DS392	Certain Measures Affecting Imports of Poultry from China	April 17, 2009	September 29, 2010	N/A	The Panel found in favor of China, but it did not recommend that the United States bring the measure at issue (Section 727) into conformity with its obligations under the SPS Agreement and the GATT 1994, because Section 727 had already expired.
DS399	Measures Affecting Imports of Certain Passenger Vehicle and Light Truck Tires from China	September 14, 2009	December 13, 2010	September 5, 2011	The Panel rejected China's claims, and the Appellate Body upheld the Panel findings.
DS422	Anti-Dumping Measures on Shrimp and Diamond Sawblades from China	February 28, 2011	June 8, 2012	N/A	The Panel upheld China's claims. The United States agreed to implement the Panel rulings by March 23, 2013.

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DS437	Countervailing Duty Measures on Certain Products from China*	May 25, 2012	July 14, 2014	December 18, 2014	The Panel issued a mixed ruling, rejecting some China's claims, but finding that the United States acted inconsistently with some of its obligations under the WTO. China appealed the decision, and the Appellate Body reversed several of the Panel's findings. In May 2016, China requested consultations over the alleged failure by the United States to implement the DSB ruling. A compliance panel was established in July 2016; the report is expected in the second half of 2017.
DS449	Countervailing and Anti-dumping Measures on Certain Products from China†	September 17, 2012	March 27, 2014		The Panel upheld U.S. Public Law (PL) 112-99 entitled "An act to apply the countervailing duty provisions of the US Tariff Act of 1930 to nonmarket economy countries, and for other purposes," but found that the United States acted inconsistently with its obligations in failing to investigate whether "double remedies" arose in proceedings at issue.
DS471	Anti-Dumping Methodologies	December 3, 2013	October 19, 2016		China requested consultations with the United States regarding the use of certain methodologies in anti-dumping investigations, including zeroing, involving Chinese products. The Panel issued a mixed ruling finding many, though not all, of the U.S. practices China challenged to be inconsistent with WTO rules. In November 2016, China notified the DSB of its decision to appeal certain findings.

* The products are solar panels; wind towers; thermal paper; coated paper; tow behind lawn groomers; kitchen shelving; steel sinks; citric acid; magnesia carbon bricks; pressure pipe; line pipe; seamless pipe; steel cylinders; drill pipe; oil country tubular goods; wire strand; and aluminum extrusions.

† China's claims relate to the imposition or collection of duties in connection with investigations or reviews initiated between November 20, 2006 and March 13, 2012. See WTO, "United States – Countervailing and Antidumping Measures on Certain Products from China," request for consultations by China, WTO WT/DS449/1 (Geneva, Switzerland: September 20, 2012). https://docs.wto.org/dol2fe/Pages/FE_Search/FE_S_S009-Html.aspx?id=53282&BoxNumber=3&DocumentPartNumber=1&Language=E&Window=L&PreviewContext=DP&FullTextSearch=#KV_GENERATED_FILE_000007.htm.

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DS515	Measures Related to Price Comparison Methodologies	December 12, 2016	In consultations; panel not yet formed		China's complaint alleges the United States has failed to treat China as a market economy for the purposes of calculating antidumping duties.*

Source: WTO; compiled by Commission staff. Click on case number to view up-to-date information from the WTO Dispute Settlement Body. Current as of December 2016.

* The case is related to the expiration on December 11, 2016 of a provision in China's WTO accession protocol that allowed its trade partners to automatically treat China as a non-market economy when calculating dumping margins. China argues it is now automatically entitled to be treated as a market economy, while the United States says there is no automaticity. China filed a similar case against the European Union: https://www.wto.org/english/tratop_e/dispu_e/cases_e/ds516_e.htm.