

EU Proposal for New Antidumping Methodology Pending as China Requests WTO Consultations With EU, U.S. After Protocol Provision Expires

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Partner [Paul Rosenthal](#) and associate [Melissa Brewer](#) co-authored the Bloomberg Law *International Trade Daily* article “EU Proposal for New Antidumping Methodology Pending as China Requests WTO Consultations With EU, U.S. After Protocol Provision Expires.” The article discusses China’s recent filing of a request for consultation with the U.S. and the EU regarding a continuing provision in its WTO accession agreement - the provision that requires WTO members to use Chinese prices only when Chinese producers can show that market economy conditions prevail in their industry. This provision assumes that nonmarket conditions prevail unless and until Chinese producers can prove otherwise and, has broad implications for U.S. industries that rely on antidumping duty orders to provide relief from Chinese market distortions. The authors review the divergent approaches being taken by the European Union and the U.S. to this nascent dispute, the potential near term trade implications for both parties and the next steps in the WTO dispute process.