

Kelley Drye Represents U.S. Honey Producers in Successful International Trade Commission Review

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Commissioners at the International Trade Commission (“ITC”) recently voted 6-0 to continue existing antidumping and countervailing duty orders on honey from Argentina and China. The orders have been in place since 2001 in order to offset the unfairly low prices of honey imports from those two countries. The Sioux Honey Association (“Sioux Honey”) and American Honey Producers Association (AHPA), represented by international trade attorneys from Kelley Drye, successfully prevailed upon the ITC the importance of retaining the orders during a recent sunset review.

“In 2000 and 2001, the U.S. market was overrun with extremely low-priced honey imports from Argentina and China,” said Mark Brady, president of the AHPA. “Had the government not imposed antidumping and countervailing trade orders on those imports several years ago, the domestic honey industry would have been destroyed.”

David Allibone, President of Sioux Honey, added “Sioux Honey, a member-owned marketing cooperative, is gratified that the government found ample cause to retain the trade orders against honey imports from China and Argentina. We are especially hopeful that our government will redouble its efforts to stop the continuing, rampant and deceptive avoidance of the China antidumping order by certain Chinese exporters and their U.S. importers.”

In its decision to keep in place both the antidumping and countervailing duty orders, the ITC agreed that their revocation would likely lead to material injury to U.S. businesses within a reasonably foreseeable time. A review every five years of the protection measures are required by the Uruguay Round Agreement Act of the World Trade Organization (WTO). The orders will now remain in place through at least May 2012, when a second sunset review would begin. “These orders are crucial to the continued competitiveness of American honey producers in the domestic market,” said Michael Coursey of Kelley Drye, who served as lead attorney for both industry associations. “They ensure that U.S. businesses are not forced to compete with unfairly traded goods.”

Mr. Coursey, a Partner in Kelley Drye’s International Trade Practice Group, specializes in representing agricultural interests in international trade investigations.